WEDNESDAY, APRIL 16, 2014

SIXTY-SIXTH LEGISLATIVE DAY

The House met at 9:30 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Terry Hughes, Faith Baptist Church, Memphis, TN.

Representative Lollar led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

	9	
Present	91	
Representatives present were Akbari	i, Alexander, Armstrong, Bailey, Brook	۲S

The roll call was taken with the following results:

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks K, Calfee, Camper, Carr D, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White M, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell --91

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative J. Carr

Representative McManus

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 551 Rep(s). Pody, Casada and Evans as prime sponsor(s).

House Joint Resolution No. 593 Rep(s). Miller as prime sponsor(s).

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House Joint Resolution No. 839 Rep(s). Todd, Floyd, Ragan, Weaver, Evans, R. Williams, Keisling, Eldridge, Hall, Butt, Littleton, Sexton, Lollar, Travis, K. Williams, Shipley, T. Hill, Moody, Pody, M. White, Sparks, Bailey, Alexander, Sargent, Hawk, Van Huss, Rich, Powers, D. White as prime sponsor(s).

House Joint Resolution No. 1168 Rep(s). Faison as prime sponsor(s).

House Bill No. 8 Rep(s). Littleton and Powell as prime sponsor(s).

House Bill No. 1129 Rep(s). M. Hill as prime sponsor(s).

House Bill No. 1279 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 1379 Rep(s). Ragan, Holt, Powers, Todd, Wirgau, Coley and Kane as prime sponsor(s).

House Bill No. 1452 Rep(s). Hardaway and Parkinson as prime sponsor(s).

House Bill No. 1528 Rep(s). Moody as prime sponsor(s).

House Bill No. 1661 Rep(s). Butt as prime sponsor(s).

House Bill No. 1684 Rep(s). Casada, Sargent, Dennis, Littleton, T. Hill and D. White as prime sponsor(s).

House Bill No. 1736 Rep(s). Powell, Tidwell, Haynes, Miller, Towns, Lamberth, Dean, K. Brooks, Camper, Mitchell, Shepard, Lynn, Travis, Lundberg, Hardaway, Powers, M. Hill, Eldridge, T. Hill and Moody as prime sponsor(s).

House Bill No. 1768 Rep(s). Moody as prime sponsor(s).

House Bill No. 1803 Rep(s). Sparks and D. White as prime sponsor(s).

House Bill No. 1830 Rep(s). Sparks and Womick as prime sponsor(s).

House Bill No. 1838 Rep(s). Towns as prime sponsor(s).

House Bill No. 1846 Rep(s). Mitchell, Camper, Parkinson, Hardaway, Akbari, Armstrong, Powell and Holt as prime sponsor(s).

House Bill No. 1876 Rep(s). Miller and Hardaway as prime sponsor(s).

House Bill No. 1887 Rep(s). Evans, Butt, Holt, Dunn, Hardaway and Lundberg as prime sponsor(s).

House Bill No. 1904 Rep(s). Hardaway, Sargent, Akbari, Armstrong, McCormick, Favors, Gilmore, Towns, K. Brooks, Haynes, Halford, Swann, D. Carr, Parkinson, J. Turner, Miller and Powell as prime sponsor(s).

House Bill No. 1972 Rep(s). Hardaway as prime sponsor(s).

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House Bill No. 1973 Rep(s). C. Johnson as prime sponsor(s).

House Bill No. 1981 Rep(s). Fitzhugh as prime sponsor(s).

House Bill No. 2003 Rep(s). Miller and Hardaway as prime sponsor(s).

House Bill No. 2087 Rep(s). Ragan and Holt as prime sponsor(s).

House Bill No. 2104 Rep(s). Armstrong, H. Brooks, Kane, Hall, Dunn, G. Johnson as prime sponsor(s).

House Bill No. 2228 Rep(s). Windle as prime sponsor(s).

House Bill No. 2249 Rep(s). Ragan, Moody, Holt, Bailey, Hall, Eldridge and Faison as prime sponsor(s).

House Bill No. 2257 Rep(s). Ragan and Faison as prime sponsor(s).

House Bill No. 2313 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2326 Rep(s). Hardaway and Moody as prime sponsor(s).

House Bill No. 2372 Rep(s). Miller, Gilmore, Dean, J. Turner and Hardaway as prime sponsor(s).

House Bill No. 2550 Rep(s). Lynn as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Bailey was/were removed as sponsor(s) to House Bill no. 2540.

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1931; The Senate lifted from the table the motion to reconsider. The Senate reconsidered action in passing House Bill No. 1931. The Senate adopted amendment No. 2 and re-passed House Bill No. 1931 on third consideration.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to transmit to the House, House Bill(s) No(s). 1574; The Senate refused to recede from its action in adopting Amendment No(s). 2, and 6

RUSSELL A. HUMPHREY, Chief Clerk

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MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2380; substituted for Senate bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2406; substituted for Senate bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 829 and 830; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 829 -- Memorials, Interns - Annabell McWherter. by *Hensley.

Senate Joint Resolution No. 830 -- Memorials, Interns - Roy L. West, III. by *Yager.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 17, 2014:

House Resolution No. 295 -- Memorials, Interns - Lovin Middleton. by *Matheny.

House Resolution No. 296 -- Memorials, Interns - Anna Wilkins. by *Hill M, *VanHuss, *Hill T.

House Resolution No. 297 -- Memorials, Interns - Brooks Brasfield. by *Hill M, *VanHuss, *Hill T.

House Resolution No. 298 -- Memorials, Academic Achievement - Kendrick Wilson, Valedictorian, Southwind High School. by *Turner J.

House Resolution No. 299 -- Memorials, Academic Achievement - Gabrielle Brown, Salutatorian, Westwood High School. by *Turner J.

House Resolution No. 300 -- Memorials, Academic Achievement - Destiny Reid, Salutatorian, Southwind High School. by *Turner J.

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House Resolution No. 301 -- Memorials, Academic Achievement - Takia Abram, Valedictorian, Westwood High School. by *Turner J.

House Resolution No. 302 -- Memorials, Academic Achievement - Brendan Loggins, Salutatorian, G.W. Carver High School. by *Cooper.

House Resolution No. 303 -- Memorials, Academic Achievement - Marqueshia Allen, Valedictorian, G.W. Carver High School. by *Cooper.

House Joint Resolution No. 1179 -- Memorials, Recognition - Representative Karen Camper, Women of Excellence. by *Miller, *Pitts.

House Joint Resolution No. 1180 -- Memorials, Academic Achievement - Victoria Paige Christian, Valedictorian, Clinch School. by *Harrison.

House Joint Resolution No. 1181 -- Memorials, Death - Joe C. Davis. by *Harrison.

House Joint Resolution No. 1182 -- Memorials, Death - John Marion Gray, Jr. by *Harrison.

House Joint Resolution No. 1183 -- Memorials, Academic Achievement - Jeremy Baldwin Powers, Salutatorian, Clinch School. by *Harrison.

House Joint Resolution No. 1184 -- Memorials, Sports - Union City High School girls' basketball, State Champions. by *Sanderson.

House Joint Resolution No. 1185 -- Memorials, Interns - Oskar Recio. by *Parkinson, *Hardaway.

House Joint Resolution No. 1186 -- Memorials, Congratulations - Harry Eden Bryan and Jean Young Bryan, 50th anniversary. by *McDaniel.

House Joint Resolution No. 1187 -- Memorials, Retirement - Dan Walker. by *Hawk, *Faison.

House Joint Resolution No. 1188 -- Memorials, Retirement - Judge John K. Wilson. by *Hawk, *Faison.

House Joint Resolution No. 1189 -- Memorials, Academic Achievement - Mar'Shea Tachelle Lewis, Salutatorian, Oakhaven High School. by *Towns, *Camper.

House Joint Resolution No. 1190 -- Memorials, Academic Achievement - Breona White, Valedictorian, Oakhaven High School. by *Towns, *Camper.

House Joint Resolution No. 1191 -- Memorials, Recognition - The Promise Ball. by *Camper, *Armstrong.

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SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 17, 2014:

Senate Joint Resolution No. 829 -- Memorials, Interns - Annabell McWherter. by *Hensley.

Senate Joint Resolution No. 830 -- Memorials, Interns - Roy L. West, III. by *Yager.

RESOLUTIONS LYING OVER

On motion, the resolution(s) listed was/were referred to the appropriate Committee:

*Senate Joint Resolution No. 545 -- Libraries - Creates a library standards task force to study the application of certain constitutional provisions to the present obscenity statute, and study how it relates to the distribution of certain materials by librarians to patrons. by *McNally.

House State Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 16**, **2014**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 17, 2014:** House Bill(s) No(s). 1687, 2270, 1981, 1512, 1403, and 2342.

FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways & Means Committee recommended for passage: House Bill(s) No(s). 1981, also House Bill(s) No(s). 1512, 2342 and 1403 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

DELAYED BILLS REFERRED April 16, 2014

Pursuant to **Rule No. 77**, having been prefiled for introduction, Senate Joint Resolution(s) No(s). 715, was/were referred to the Delayed Bills Committee.

Senate Joint Resolution No. 715 -- General Assembly, Statement of Intent or Position - Encourage schools to have their students recite the first official salute to the Tennessee Flag. by *Beavers.

4068

PRESENT IN CHAMBER

Rep(s). Butt was/were recorded as being present in the Chamber.

CONSENT CALENDAR

House Bill No. 2524 -- Gordonsville - As introduced, subject to local approval, requires two readings for passage of an ordinance rather than three. by *Weaver.

*Senate Joint Resolution No. 491 -- General Assembly, Statement of Intent or Position - Expresses Tennessee's sovereignty over education standards and assessments. by *Tracy, *Summerville, *Green, *Stevens, *Watson, *Campfield, *Ketron, *Beavers, *Bowling, *McNally, *Southerland, *Haile, *Yager, *Dickerson, *Hensley, *Crowe, *Niceley, *Norris, *Bell, *Gresham.

House Bill No. 2535 -- New Johnsonville - As introduced, subject to local approval, rewrites the charter. - Amends Chapter 603 of the Private Acts of 1949; as amended. by *Tidwell.

On motion, House Bill No. 2535 was made to conform with **Senate Bill No. 2630**; the Senate Bill was substituted for the House Bill.

House Bill No. 2539 -- Erin - As introduced, subject to local approval, removes authority of recorder, mayor or vice-mayor to also serve as city judge; removes authority of city to levy motor vehicle registration fees; creates staggered terms of office for the board of mayor and aldermen. - Amends Chapter 403 of the Private Acts of 1951; as amended. by *Tidwell.

House Bill No. 2531 -- Samburg - As introduced, subject to local approval, rewrites the town charter to clarify the duties of the town recorder, town attorney, and town judge; revises the town budget and tax provisions; adds conflict of interest provisions governing town officers and employees. - Amends Chapter 193 of the Private Acts of 1947; as amended. by *Sanderson.

House Bill No. 2555 -- Hamilton County - As introduced, subject to local approval, revises the composition of the board for the hospital authority operating Erlanger Hospital. - Amends Chapter 297 of the Private Acts of 1976; as amended. by *Carter.

House Bill No. 2530 -- Algood - As introduced, subject to local approval, rewrites the city charter. - Amends Chapter 615 of the Private Acts of 1911; as amended. by *Williams R, *Sexton.

On motion, House Bill No. 2530 was made to conform with **Senate Bill No. 2623**; the Senate Bill was substituted for the House Bill.

House Bill No. 2553 -- Cannon County - As introduced, to authorize an advisory referendum relative to the location of a portion of U.S. 70 South in Cannon County. by *Pody.

House Bill No. 2543 -- Crossville - As introduced, subject to local approval, authorizes the registered voters of the city to initiate a recall of an incumbent of an elective city office. - Amends Chapter 519 of the Private Acts of 1953; as amended. by *Sexton.

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On motion, House Bill No. 2543 was made to conform with **Senate Bill No. 2635**; the Senate Bill was substituted for the House Bill.

House Bill No. 2554 -- Harriman - As introduced, subject to local approval, rewrites the city charter. - Amends Chapter 49 of the Acts of 1891; as amended. by *Calfee.

House Bill No. 2508 -- Burns - As introduced, subject to local approval, creates the position of vice-mayor, to be selected from the board of commissioners. - Amends Chapter 193 of the Private Acts of 1953; as rewritten and amended. by *Littleton.

On motion, House Bill No. 2508 was made to conform with **Senate Bill No. 2601**; the Senate Bill was substituted for the House Bill.

House Bill No. 2551 -- Ashland City - As introduced, subject to local approval, rewrites the city charter. - Amends Chapter 121 of the Private Acts of 2004; as amended. by *Littleton.

On motion, House Bill No. 2551 was made to conform with **Senate Bill No. 2645**; the Senate Bill was substituted for the House Bill.

House Bill No. 2002 -- Motor Vehicles - As introduced, removes the requirement that an automobile retail seller must insure its GAP waiver obligation when the automobile retail seller does not assign the financing agreement of which a GAP waiver is a part to anyone other than the retail seller's related finance company. - Amends TCA Title 56, Chapter 59. by *Littleton, *Dean.

On motion, House Bill No. 2002 was made to conform with **Senate Bill No. 2024**; the Senate Bill was substituted for the House Bill.

House Bill No. 2540 -- Greenbrier - As introduced, subject to local approval, prohibits any elected official from being a paid employee or department head; decreases the mayor's salary from \$800 per month to \$400 per month; removes the mayor's benefit plan; and adds provisions to authorize the board of mayor and aldermen to remove a mayor or alderman in certain circumstances. - Amends Chapter 158 of the Private Acts of 2002; as amended. by *Evans.

On motion, House Bill No. 2540 was made to conform with **Senate Bill No. 2632**; the Senate Bill was substituted for the House Bill.

House Bill No. 2541 -- Tipton County - As introduced, subject to local approval, removes the requirement that the tax assessor or deputy tax assessor stamp or make a physical notation on certain conveyances of real property. - Amends Chapter 46 of the Private Acts of 1969; as amended. by *Moody.

On motion, House Bill No. 2541 was made to conform with **Senate Bill No. 2626**; the Senate Bill was substituted for the House Bill.

House Bill No. 2532 -- Altamont - As introduced, subject to local approval, rewrites the town charter. - Amends Chapter 664 of the Private Acts of 1917; as amended. by *Bailey.

*House Bill No. 223 -- Motor Vehicle Commission - As introduced, adds a non-franchise motor vehicle dealer as a member of the motor vehicle commission; increases quorum requirement by one person. - Amends TCA Title 55, Chapter 17, Part 1. by *Sparks, *Goins, *Todd, *Johnson C, *Bailey, *Williams K, *Lollar, *Cooper, *Matheny, *Ramsey, *Akbari, *Holt, *Jernigan, *Forgety, *Coley, *Pitts, *Ragan, *Floyd, *Carr J, *Towns, *Durham, *Sexton, *Sanderson, *Rogers.

On motion, House Bill No. 223 was made to conform with **Senate Bill No. 877**; the Senate Bill was substituted for the House Bill.

*Senate Joint Resolution No. 505 -- Memorials, Government Officials - Requests State Capitol Commission to initiate creation and placement in State Capitol of monument to honor David Crockett. by *Norris, *Beavers, *Bell, *Bowling, *Burks, *Campfield, *Crowe, *Dickerson, *Finney , *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Henry, *Hensley, *Johnson, *Kelsey, *Ketron, *Massey, *McNally, *Niceley, *Overbey, *Southerland, *Stevens, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey.

House Resolution No. 278 -- Memorials, Interns - Mary Garrett. by *Powell.

House Resolution No. 279 -- Memorials, Academic Achievement - Julie Elizabeth Coen, Valedictorian, Roane County High School. by *Calfee.

House Resolution No. 280 -- Memorials, Academic Achievement - Andrew Clayton Layne, Salutatorian, Roane County High School. by *Calfee.

House Resolution No. 281 -- Memorials, Academic Achievement - Aaron Woody, Valedictorian, Midway High School. by *Calfee.

House Resolution No. 282 -- Memorials, Academic Achievement - Kaylee Burton, Salutatorian, Midway High School. by *Calfee.

House Resolution No. 283 -- Memorials, Academic Achievement - Amy Scandlyn, Valedictorian, Harriman High School. by *Calfee.

House Resolution No. 284 -- Memorials, Academic Achievement - Lindsey Seymour, Salutatorian, Harriman High School. by *Calfee.

House Resolution No. 285 -- Memorials, Academic Achievement - Benjamin Dale Bruner, Valedictorian, Oliver Springs High School. by *Calfee, *Ragan, *Windle.

House Resolution No. 286 -- Memorials, Academic Achievement - Breana Jade Wilson, Valedictorian, Oliver Springs High School. by *Calfee, *Ragan, *Windle.

House Resolution No. 287 -- Memorials, Academic Achievement - Victoria Scotland Cox, Valedictorian, Oliver Springs High School. by *Calfee, *Ragan, *Windle.

House Resolution No. 288 -- Memorials, Academic Achievement - Dakota Louise Russell, Salutatorian, Oliver Springs High School. by *Calfee, *Ragan, *Windle.

House Resolution No. 289 -- Memorials, Death - Officer Andrew Nash. by *Powell.

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House Resolution No. 290 -- Memorials, Recognition - Africa in April Cultural Awareness Festival. by *Cooper.

House Resolution No. 291 -- Memorials, Death - Robert Harmon Watson, Jr. by *Armstrong, *Haynes.

House Resolution No. 292 -- Memorials, Recognition - Judge John McAfee, Clairborne County Good Scout Award. by *Roach.

House Resolution No. 293 -- Memorials, Academic Achievement - Devind Skye, Valedictorian, Rockwood High School. by *Calfee, *Travis.

House Resolution No. 294 -- Memorials, Academic Achievement - Jeffrey Christopher, Salutatorian, Rockwood High School. by *Calfee, *Travis.

House Joint Resolution No. 1164 -- Memorials, Retirement - Candy Phillips. by *Fitzhugh.

House Joint Resolution No. 1166 -- Memorials, Academic Achievement - Devion Taylor, Valedictorian, STAR Academy. by *Parkinson.

House Joint Resolution No. 1167 -- Memorials, Academic Achievement - Joyner Stephens, Salutatorian, STAR Academy. by *Parkinson.

House Joint Resolution No. 1168 -- Memorials, Recognition - Dandridge Lions Club, 75th anniversary. by *Farmer.

House Joint Resolution No. 1169 -- Memorials, Retirement - Kay L. Wellons. by *Haynes.

House Joint Resolution No. 1170 -- Memorials, Recognition - District Attorney General William C. Whitesell, Jr., 16th Judicial District of the State of Tennessee. by *Womick, *Carr J, *Sparks, *White D.

House Joint Resolution No. 1171 -- Memorials, Sports - Mika Wester. by *Faison.

House Joint Resolution No. 1172 -- Memorials, Retirement - Judge John K. Wilson. by *Hawk, *Faison.

House Joint Resolution No. 1173 -- Memorials, Public Service - Ralph Illges, 2014 Volunteer of the Year, Robertson County Chamber of Commerce. by *Evans.

House Joint Resolution No. 1174 -- Memorials, Recognition - Bath Fitter Springfield, Robertson Chamber of Commerce 2014 Industry of the Year. by *Evans.

House Joint Resolution No. 1175 -- Memorials, Recognition - The City of Adams and Community Spirit, Inc., Robertson County Chamber of Commerce 2014 Member of the Year. by *Evans.

House Joint Resolution No. 1176 -- Memorials, Recognition - Bethany Taylor, Robertson County Chamber of Commerce Ambassador of the Year. by *Evans.

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House Joint Resolution No. 1177 -- Memorials, Recognition - Realizing Robertson's Future, Robertson County Chamber of Commerce 2014 Education Partner Award. by *Evans.

House Joint Resolution No. 1178 -- Memorials, Personal Occasion - Thelma Brownlee, 80th birthday. by *Akbari, *Camper, *Miller.

Senate Joint Resolution No. 825 -- Memorials, Sports - The Webb School football team, 2013 Conference Champions and runner-up in National Tournament. by *Tracy.

Senate Joint Resolution No. 827 -- Memorials, Professional Achievement - Joseph B. Murphy, 2014 Wilson County Teacher of the Year. by *Beavers.

Senate Joint Resolution No. 828 -- Memorials, Death - Edward F. Williams, III. by *Norris, *Kyle.

Senate Joint Resolution No. 831 -- Memorials, Academic Achievement - Mary Shelby Sanderson, Top Ten, Giles County High School. by *Hensley.

Senate Joint Resolution No. 832 -- Memorials, Academic Achievement - Jonathan Dean Bailey, Top Ten, Giles County High School. by *Hensley.

Senate Joint Resolution No. 833 -- Memorials, Academic Achievement - William Buford McMasters, Top Ten, Giles County High School. by *Hensley.

Senate Joint Resolution No. 834 -- Memorials, Academic Achievement - Thomas Austin Lochridge, Top Ten, Giles County High School. by *Hensley.

Senate Joint Resolution No. 835 -- Memorials, Academic Achievement - Mary Ruth Wossum-Fisher, Top Ten, Giles County High School. by *Hensley.

Senate Joint Resolution No. 836 -- Memorials, Academic Achievement - Brian Dwayne Dodge, Top Ten, Giles County High School. by *Hensley.

Senate Joint Resolution No. 837 -- Memorials, Academic Achievement - Mary Elizabeth Blair Ledford, Salutatorian, Giles County High School. by *Hensley.

Senate Joint Resolution No. 838 -- Memorials, Academic Achievement - Amanda Dawn Groover, Valedictorian, Giles County High School. by *Hensley.

Senate Joint Resolution No. 839 -- Memorials, Public Service - Matthew K. Russell. by *Ramsey, *Dickerson.

Senate Joint Resolution No. 840 -- Memorials, Recognition - Sandra M. Williams-Patrick. by *Kyle.

Senate Joint Resolution No. 841 -- Memorials, Public Service - Dr. Lester Basken. by *Kyle.

Senate Joint Resolution No. 842 -- Memorials, Recognition - Hazel Moore. by *Kyle.

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Senate Joint Resolution No. 843 -- Memorials, Death - Darrell "Pappy" Crowe. by *Crowe.

Senate Joint Resolution No. 844 -- Memorials, Academic Achievement - Callie Grace Edwards, Top Ten, Giles County High School. by *Hensley.

Senate Joint Resolution No. 845 -- Memorials, Academic Achievement - Henry Ingle Daniels, Top Ten, Giles County High School. by *Hensley.

Senate Joint Resolution No. 846 -- Memorials, Recognition - Oretha Anderson. by *Kyle.

Senate Joint Resolution No. 847 -- Memorials, Recognition - Calvin Burton, Whitehaven Kiwanis Club President. by *Kyle.

Rep. Powell moved that the Davison County delegation be added as co-prime sponsors on House Resolution No. 289, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Cooper moved that all members voting aye on House Resolution No. 290 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Armstrong moved that the Knox County delegation be added as co-prime sponsors on House Resolution No. 291, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Camper moved that the Shelby County delegation be added as co-prime sponsors on Senate Joint Resolution No. 840, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Camper moved that the Shelby County delegation be added as co-prime sponsors on Senate Joint Resolution No. 841, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Camper moved that the Shelby County delegation be added as co-prime sponsors on Senate Joint Resolution No. 842, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Camper moved that the Shelby County delegation be added as co-prime sponsors on Senate Joint Resolution No. 846, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

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Rep. Camper moved that the Shelby County delegation be added as co-prime sponsors on Senate Joint Resolution No. 847, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Mathney, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1684 -- Securities - As introduced, creates the "Invest Tennessee Exemption" permitting the intra-state sale of securities totaling less than \$1 million. - Amends TCA Title 48. by *Durham, *Fitzhugh. (*SB1481 by *Kelsey, *Finney, *Overbey)

On motion, House Bill No. 1684 was made to conform with **Senate Bill No. 1481**; the Senate Bill was substituted for the House Bill.

Rep. Durham moved that Senate Bill No. 1481 be passed on third and final consideration.

Rep. Matlock moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Durham moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1481 by deleting the language "seven hundred fifty thousand dollars (\$750,000)" in subdivision (13)(A)(ii) in the amendatory language of SECTION 1 and by substituting instead the language "one million dollars (\$1,000,000)".

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AND FURTHER AMEND by deleting the language "five thousand dollars (\$5,000)" in subdivision (13)(A)(iii) in the amendatory language of SECTION 1 and by substituting instead the language "ten thousand dollars (\$10,000)".

On motion, Amendment No. 2 was adopted.

Rep. Durham moved that **Senate Bill No. 1481**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes9	4
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep(s). J. Carr was/were recognized as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

*House Bill No. 2400 -- Controlled Substances - As introduced, requires the executive director of the board of pharmacy to consult with the commissioner of health when staffing the controlled substance database. - Amends TCA Title 53, Chapter 10. by *Doss. (SB2547 by *Hensley)

On motion, House Bill No. 2400 was made to conform with **Senate Bill No. 2547**; the Senate Bill was substituted for the House Bill.

Rep. Doss moved that Senate Bill No. 2547 be passed on third and final consideration.

Rep. Ramsey moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2547 by deleting all language after the enacting clause and by substituting instead the following:

4076

SECTION 1. Tennessee Code Annotated, Section 53-10-305(b)(2), is amended by deleting the language "at least once every seven (7) days for all the controlled substances dispensed during the preceding seven-day period" and by substituting instead the language "for each business day but no later than the close of business on the following business day; provided, that a veterinarian shall submit information at least once every seven (7) days and shall not be required to use a computerized system in order to submit required information pursuant to this section".

SECTION 2. Tennessee Code Annotated, Section 53-10-307, is amended by inserting a new subsection (e):

(e)

- (1) Failure to submit the required information by any dispenser shall not be considered a violation if a good faith effort was made and the failure of the report to be transmitted was due to technical difficulties or the inability to have the report received by the database.
- (2) Technical difficulties shall include the failure of the database to receive the transmission of any report, the failure of any dispenser's system or switch used in the transmission of a report, electrical problems, natural disasters, fires, flooding, or other unforeseen circumstance as defined in rules by the board.
- (3) The board of pharmacy shall have rulemaking authority to implement this subsection.
- SECTION 3. Tennessee Code Annotated, Section 53-10-305(b), is amended by deleting the subdivision in its entirety and by substituting instead the following:
 - (b) A pharmacy dispenser that uses a computerized system to record information concerning the dispensing of controlled substances listed in Schedule II, III, or IV, and Schedule V controlled substances identified by the controlled substance database advisory committee as demonstrating a potential for abuse, shall submit the required information to the committee or its agent utilizing nationally recognized pharmacy telecommunications format standards by a procedure and in a format established by the committee for each business day but no later than the close of business on the following business day; provided, that a veterinarian shall submit information at least once every seven (7) days and shall not be required to use a computerized system in order to submit required information pursuant to this section".

SECTION 4. Tennessee Code Annotated, Section 53-10-307, is amended by inserting a new subsection (e):

(e)

- (1) Failure to submit the required information by any dispenser shall not be considered a violation if a good faith effort was made and the failure of the report to be transmitted was due to technical difficulties or the inability to have the report received by the database.
- (2) Technical difficulties shall include the failure of the database to receive the transmission of any report, the failure of any dispenser's system or switch used in the transmission of a report, electrical problems, natural disasters, fires, flooding, or other unforeseen circumstance as defined in rules by the board.
- (3) The board of pharmacy shall have rulemaking authority to implement this subsection.

SECTION 5. Sections 1 and 2 of this act shall take effect on January 1, 2016, the public welfare requiring it. Sections 3 and 4 of this act shall take effect at 12:01 am on July 1, 2016.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Doss moved that **Senate Bill No. 2547**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Watson

4078

REGULAR CALENDAR, CONTINUED

*House Bill No. 2402 -- Taxes, Exemption and Credits - As introduced, under certain conditions, exempts from use tax, persons who purchased and registered a boat in another state, relocated to Tennessee, and brought the boat into Tennessee for personal use. - Amends TCA Title 67, Chapter 6. by *Doss. (SB2549 by *Hensley)

On motion, House Bill No. 2402 was made to conform with **Senate Bill No. 2549**; the Senate Bill was substituted for the House Bill.

- Rep. Doss moved that Senate Bill No. 2549 be passed on third and final consideration.
- Rep. Lollar moved the previous question, which motion prevailed.
- Rep. Doss moved that **Senate Bill No. 2549** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	
Present and not voting	

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives present and not voting were: Armstrong -- 1

A motion to reconsider was tabled.

*House Bill No. 1830 -- Eminent Domain - As introduced, reorganizes existing eminent domain law in Tennessee Code Annotated. - Amends TCA Title 6; Title 7; Title 9; Title 11; Title 12; Title 13; Title 29; Title 42; Title 54; Title 59; Title 64; Title 65; Title 68; Title 69 and Title 70. by *Carr J. (SB2028 by *Hensley)

On motion, House Bill No. 1830 was made to conform with **Senate Bill No. 2028**; the Senate Bill was substituted for the House Bill.

Rep. J. Carr moved that **Senate Bill No. 2028** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	. 91	
Noes	O)

4079

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell --91

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep(s). Lynn was/were recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

House Bill No. 2164 -- Rutherford County - As introduced, permits judges of General Sessions Courts in Rutherford County to appoint court officers, including legal secretaries, law clerks, Civil and Probate Court Coordinators, and Juvenile Court Magistrates. - Amends Chapter 384 of the Private Acts of 1947; as amended. by *Carr J. (SB2378 by *Ketron)

On motion, House Bill No. 2164 was made to conform with **Senate Bill No. 2378**; the Senate Bill was substituted for the House Bill.

Rep. J. Carr moved that **Senate Bill No. 2378** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Gilmore, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on the **Senate Bill No. 2378** and have this statement entered in the Journal: Rep(s). Van Huss.

REGULAR CALENDAR, CONTINUED

SPECIAL ORDER

Without objection, Rep. McCormick moved the House take up item number 61 on today's Regular Calendar, House Bill No. 2313, out of order at this time as follows:

*House Bill No. 2313 -- University of Tennessee - As introduced, requires the Howard H. Baker Jr. Center for Public Policy at the university to perform a study on the economic feasibility of creating and utilizing a statewide comprehensive energy policy. - Amends TCA Title 4; Title 49; Title 60; Title 64; Title 65 and Title 68. by *Ragan, *Rogers, *Powers, *Butt, *Calfee, *Keisling. (SB2473 by *Norris)

Rep. Ragan moved that House Bill No. 2313 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2313 by deleting from SECTION 1 of the printed bill subsections (d) and (e) and by substituting instead the following language:

- (d) State funds in the amount of forty thousand dollars (\$40,000) shall be made available to support the feasibility study. The Howard H. Baker Jr. Center for Public Policy is authorized to establish public and private partnerships for the study. Any funds made available from private, county, municipal or federal appropriations shall be used to match state appropriations.
- (e) The Howard H. Baker Jr. Center for Public Policy shall report its preliminary findings to the energy task force of the house of representatives no later than October 15, 2014. A final report shall be provided to the energy task force no later than December 15, 2014.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, Education Committee Amendment No. 1 was adopted.

4081

Rep. H. Brooks moved adoption of Education Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2313 by adding the following language as a new, appropriately designated subsection to SECTION 1 of the bill:

() The Sparks Bureau of Business and Economic Research (SBBER) at the University of Memphis shall work in partnership with the Howard H. Baker Jr. Center for Public Policy at the University of Tennessee in the creation of the statewide comprehensive energy policy pursuant to subsection (a).

On motion, Education Committee Amendment No. 2 was adopted.

Rep. Ragan moved that **House Bill No. 2313**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives present and not voting were: Armstrong -- 1

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Ragan

REGULAR CALENDAR, CONTINUED

*House Joint Resolution No. 839 -- General Assembly, Statement of Intent or Position - Condemns federal court decision granting a preliminary injunction in the case Tanco et al ν

4082

Haslam. by *Carr J, *McCormick, *Casada, *Brooks K, *Matheny, *Womick, *Matlock, *Holt, *Spivey, *Carter.

Rep. J. Carr requested that House Joint Resolution No. 839 be moved to the heel of the Calendar, which motion prevailed.

House Bill No. 1803 -- Motor Vehicles - As introduced, clarifies the permissibility under present law for certain transactions between a motor vehicle producer and eligible employees involving leases of motor vehicles; consolidates the definition of "eligible employee" with the definitions of "producer" and other relevant terms. - Amends TCA Section 55-17-123. by *Alexander, *Dean. (*SB1766 by *Ketron)

On motion, House Bill No. 1803 was made to conform with **Senate Bill No. 1766**; the Senate Bill was substituted for the House Bill.

Rep. Alexander moved that Senate Bill No. 1766 be passed on third and final consideration.

Rep. Dean requested that Transportation Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Dean moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Dean moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Alexander moved that **Senate Bill No. 1766** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2533 -- Orme - As introduced, subject to local approval, rewrites the town charter. - Amends Chapter 630 of the Private Acts of 1935; as amended. by *Alexander. (SB2629 by *Bowling)

4083

BILL HELD ON DESK

Rep. Alexander moved that House Bill No. 2533 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

*House Bill No. 2029 -- Criminal Offenses - As introduced, creates the offense of retail vandalism to be graded as theft; creates the Class C felony of knowing aggravated retail vandalism and Class D felony of reckless aggravated retail vandalism; creates the Class E felony of organized retail vandalism. - Amends TCA Title 39, Chapter 14. by *Holt, *Brooks K, *Watson. (SB2178 by *Campfield)

On motion, House Bill No. 2029 was made to conform with **Senate Bill No. 2178**; the Senate Bill was substituted for the House Bill.

Rep. Holt moved that Senate Bill No. 2178 be passed on third and final consideration.

Rep. Faison moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Halford moved the previous question, which motion prevailed by the following vote:

Ayes	62
Noes	28

Representatives voting aye were: Alexander, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Keisling, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 62

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Lundberg, Miller, Mitchell, Odom, Parkinson, Powell, Sanderson, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Van Huss, Womick -- 28

Rep. Holt moved that **Senate Bill No. 2178** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	63
Noes	31

4084

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, DeBerry J, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Van Huss, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick -- 63

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Dean, Dennis, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Lundberg, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Sanderson, Shaw, Shepard, Stewart, Tidwell, Towns, Travis, Turner J, Turner M, Williams K -- 31

A motion to reconsider was tabled.

House Bill No. 2030 -- Criminal Offenses - As introduced, expands the offense of criminal trespass to include a prohibition against persons who are not employees of the property owner from conducting labor union activities on the property; establishes a no trespass public notice list to be maintained by the secretary of state and adds other related provisions. - Amends TCA Title 29; Title 39, Chapter 14 and Title 40. by *Holt, *Casada. (*SB1811 by *Niceley)

On motion, House Bill No. 2030 was made to conform with **Senate Bill No. 1811**; the Senate Bill was substituted for the House Bill.

Rep. Holt moved that Senate Bill No. 1811 be passed on third and final consideration.

Rep. Eldridge moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Stewart moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1811 by deleting all language after the enacting clause and by substituting instead the following:

- SECTION 1. Tennessee Code Annotated, Section 39-14-203, is amended by deleting subdivision (a)(1) in its entirety and substituting instead the following:
 - (a) It is an offense for any person to:
 - (1) Own, possess, keep, use or train any bull, bear, dog, cock, swine or other animal, for the purpose of fighting, baiting or injuring another such animal, for amusement, sport or gain;
- SECTION 2. Tennessee Code Annotated, Section 39-14-203, is amended by deleting subsections (d) and (e) in their entirety and by substituting instead the following:

4085

- (d) A violation of subdivision (a)(4) is a Class A misdemeanor and the minimum fine for such violation shall be five hundred dollars (\$500).
- (e) Unless the conduct constitutes a violation of subsection (a), it is not an offense to own, possess or keep cocks, or aid or abet the ownership, possession or keeping of cocks, for the sole purpose of selling or transporting cocks to a location in which the possession or keeping of cocks is legal.

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.

Rep. Holt moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	57
Noes	30

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Floyd, Goins, Halford, Hall, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Powers, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Travis, Van Huss, Weaver, White D, White M, Wirgau, Womick -- 57

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Lundberg, Lynn, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Williams K, Windle -- 30

Rep. M. Turner moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1811 by deleting the language "employers" in subdivision (f)(1) of SECTION 1 of the bill and by substituting instead the language "property owners".

AND FURTHER AMEND by deleting subdivision (f)(2) of SECTION 1 of the bill and by substituting instead the following:

(2) To be included on the list, a property owner shall provide to the secretary of state copies of appropriate documents that establish the property owner's private property rights, including the address and legal description of the property to which such owner has legal control. A property owner who records such owner's private property rights shall pay a recording fee as determined by the secretary of state.

AND FURTHER AMEND by deleting the language "employers" in subdivision (f)(4) of SECTION 1 of the bill and by substituting instead the language "property owners".

AND FURTHER AMEND by deleting the language "an employer's" in subdivision (f)(5)(A) of SECTION 1 of the bill and by substituting instead the language "a property owner's".

AND FURTHER AMEND by deleting the language "the employer's" in subdivision (f)(6) of SECTION 1 of the bill and by substituting instead the language "a property owner's".

Rep. Holt moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes	63
Noes	28

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Goins, Halford, Hall, Hawk, Haynes, Hill M, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Travis, Van Huss, Weaver, White D, White M, Williams K, Wirgau, Womick, Madam Speaker Harwell -- 63

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Lynn, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Tidwell, Todd, Towns, Turner J, Turner M, Windle – 28

Rep. Miller moved the previous question, which motion prevailed.

Rep. Holt moved that **Senate Bill No. 1811** be passed on third and final consideration which motion prevailed by the following vote:

Ayes 5	3
Noes	7

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Carr D, Carr J, Carter, Casada, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Keisling, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, Moody, Pody, Powers, Rich, Roach, Rogers, Sargent, Shipley, Sparks, Spivey, Swann, Travis, Van Huss, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 58

Representatives voting no were: Akbari, Armstrong, Calfee, Camper, Coley, Cooper, Dean, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Kane, Love, Lundberg, Lynn, McCormick, McDaniel, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Ramsey, Sanderson, Shaw, Shepard, Stewart, Tidwell, Todd, Towns, Turner J, Turner M, Williams K -- 37

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

4087

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "aye" to "no" on the **Senate Bill No. 1811** and have this statement entered in the Journal: Rep(s). Lollar.

REGULAR CALENDAR, CONTINUED

House Bill No. 2003 -- Traffic Safety - As introduced, clarifies that if a driver cannot safely stop at a yellow light, they may proceed with caution through the intersection. - Amends TCA Section 55-8-110. by *Parkinson. (*SB2056 by *Niceley)

On motion, House Bill No. 2003 was made to conform with **Senate Bill No. 2056**; the Senate Bill was substituted for the House Bill.

Rep. Parkinson moved that Senate Bill No. 2056 be passed on third and final consideration.

Rep. Dean moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2056 by deleting all language after the enacting clause and by substituting instead the following:

- SECTION 1. Tennessee Code Annotated, Section 55-8-110, is amended by adding the following language as a new subsection:
 - (e) It is not a violation of subdivision (a)(3), unless the front tires of a vehicle cross the stop line after the signal is red.
- SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Hardaway moved the previous question, which motion prevailed.

Rep. Parkinson moved that **Senate Bill No. 2056**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	C

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody,

4088

Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell --92

A motion to reconsider was tabled.

House Bill No. 2243 -- Victims' Rights - As introduced, authorizes the treasurer to provide an annual sponsorship for a remembrance fund for homicide victims not to exceed \$850 from the criminal injuries compensation fund. - Amends TCA Section 29-13-116. by *Weaver. (*SB2281 by *Dickerson, *Burks, *Overbey)

On motion, House Bill No. 2243 was made to conform with **Senate Bill No. 2281**; the Senate Bill was substituted for the House Bill.

Rep. Weaver moved that **Senate Bill No. 2281** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

*House Bill No. 1838 -- Orders of Protection - As introduced, permits a clerk to transmit an order of protection to the sheriff of a county other than the county where the order was issued by facsimile or other electronic transmission, in order to complete service in a timely manner. - Amends TCA Title 36, Chapter 3. by *Tidwell, *Pitts. (SB2091 by *Green, *Burks)

On motion, House Bill No. 1838 was made to conform with **Senate Bill No. 2091**; the Senate Bill was substituted for the House Bill.

Rep. Tidwell moved that **Senate Bill No. 2091** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

4089

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 2545 -- Hamilton County - As introduced, subject to local approval, amends the County Department of Education Insurance and Pension Fund Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts. - Amends Chapter 689 of the Private Acts of 1937; as amended. by *Floyd. (SB2638 by *Watson)

Rep. Floyd moved that House Bill No. 2545 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2545 by deleting the word "one" in Section 13.02(e)(1) of SECTION 3 and substituting instead the language "one (1)".

AND FURTHER AMEND by deleting the fourth sentence in Section 13.03(b) of SECTION 3 in its entirety and substituting instead the following:

The two hundred thousand dollar (\$200,000) limit on annual compensation in this subsection (b) shall be adjusted for cost-of-living increases in accordance with Code section 401(a)(17)(B).

AND FURTHER AMEND in Section 13.04(h) of SECTION 3 by adding the word "and" at the end of subdivision (3).

AND FURTHER AMEND in Section 13.05(a) of SECTION 3 by deleting the word "one" and substituting instead the language "one (1)".

AND FURTHER AMEND in Section 13.05(b)(6) of SECTION 3 by deleting the word "and" at the end of the sentence and substituting instead the word "or".

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Floyd moved that **House Bill No. 2545**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

4090

Ayes	90
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on the **House Bill No. 2545** and have this statement entered in the Journal: Rep(s). Van Huss and Towns.

REGULAR CALENDAR, CALENDAR

House Bill No. 2546 -- Hamilton County - As introduced, subject to local approval, amends the County Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts. - Amends Chapter 557 of the Private Acts of 1939; as amended. by *Floyd. (SB2639 by *Watson)

Rep. Floyd moved that House Bill No. 2546 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2546 by deleting the word "Employees" in SECTION 1 and substituting instead the word "Employees".

AND FURTHER AMEND by deleting the word "and" at the end of Section 28(b)(6) in SECTION 8 and substituting instead the word "or".

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. M. Hill moved the previous question, which motion prevailed.

Rep. Floyd moved that **House Bill No. 2546**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

4091

Ayes	9	94
Noes		. C

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2547 -- Hamilton County - As introduced, subject to local approval, amends the County Department of Education Insurance and Pension Fund Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts. - Amends Chapter 689 of the Private Acts of 1937; as amended. by *Dean. (SB2641 by *Watson)

Rep. Dean moved that House Bill No. 2547 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2547 by deleting the word "one" in Section 13.02(e)(1) of SECTION 3 and substituting instead the language "one (1)".

AND FURTHER AMEND by deleting the language "pre-retirement" in Section 13.02(e)(1)(A) of SECTION 3 and substituting instead the language "preretirement".

AND FURTHER AMEND by deleting the language "or," at the end of Section 13.02(e)(2)(i) in SECTION 3.

AND FURTHER AMEND by deleting the language "60-day" in the second paragraph of Section 13.05(c) in SECTION 5 and substituting instead the language "sixty-day".

AND FURTHER AMEND by deleting the language "30-year" in Section 13.07(b)(1) of SECTION 6 and substituting instead the language "thirty-year".

AND FURTHER AMEND by deleting the language "25-year" in Section 13.07(b)(1) of SECTION 6 and substituting instead the language "twenty-five-year".

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AND FURTHER AMEND by deleting the language "1-year" in Section 13.07(c) of SECTION 6 and substituting instead the language "one-year".

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Dean moved that **House Bill No. 2547**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96	;
Noes()

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 2548 -- Hamilton County - As introduced, subject to local approval, amends the County Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts. - Amends Chapter 557 of the Private Acts of 1939; as amended. by *Dean. (SB2640 by *Watson)

Rep. Dean moved that House Bill No. 2548 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2548 by deleting the word "Employees" in SECTION 1 and substituting instead the word "Employees".

AND FURTHER AMEND by deleting SECTION 2 in its entirety and substituting instead the following:

SECTION 2. This act amends the Plan to comply with changes in the Internal Revenue Code of 1986, herein referred to as the "Code", and various regulations and other guidance, as set forth in the 2012 Cumulative List issued by the Internal Revenue Service in Notice 2012-76 for Cycle C plans, including, but not limited to, changes under the Pension Protection Act of 2006 (PPA '06);

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the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007; the Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART Act); the Worker, Retiree, and Employer Recovery Act of 2008 (WRERA); the Small Business Jobs Act of 2010 (SBJA); the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010 (PRA 2010); and the Moving Ahead for Progress in the 21st Century Act (MAP-21).

AND FURTHER AMEND by deleting the word "or" at the end of Section 25(e)(2)(i) in SECTION 3.

AND FURTHER AMEND by deleting the word "and" at the end of Section 28(b)(6) in SECTION 5 and substituting instead the word "or".

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Dean moved that **House Bill No. 2548**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

*House Bill No. 1904 -- Mental Illness - As introduced, makes inmates eligible for certain assistance and makes various other changes relative to persons in custody. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 12; Title 33; Title 38; Title 41; Title 56 and Title 71. by *Dean. (SB2023 by *Bell, *McNally, *Bowling, *Massey, *Yager)

On motion, House Bill No. 1904 was made to conform with **Senate Bill No. 2023**; the Senate Bill was substituted for the House Bill.

Rep. Dean moved that Senate Bill No. 2023 be passed on third and final consideration.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

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Rep. Ramsey moved that Health Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Hardaway moved the previous question, which motion prevailed.

Rep. Dean moved that **Senate Bill No. 2023** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2550 -- Wilson County - As introduced, subject to local approval, increases the number of members on the board of education from 5 to 7. - Amends Chapter 50 of the Private Acts of 1971; as amended. by *Pody. (SB2644 by *Beavers)

Rep. Pody moved that House Bill No. 2550 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2550 by deleting the amendatory language in SECTION 1 and by substituting instead the following:

SECTION 1.

Beginning with the August 2016 general election, Wilson County shall be divided into seven (7) school districts of substantially equal population, which shall be established by resolution of the county legislative body of Wilson County. One (1) member of the Wilson County board of education shall be elected by the qualified voters in each school district. Board members shall be elected to staggered four-year terms so that every two (2) years the terms of approximately one-half (½) of the members of the board shall expire, with the odd-numbered districts expiring at the same time, and the even-numbered districts expiring at the same time. Persons elected in the regular August 2016 elections shall take

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office on September 1 following the election and shall serve until their successors are duly elected and qualified.

During the transition from five (5) districts as provided under prior law, to the seven (7) districts as provided for in this act, all incumbent board members shall remain on the board until the expiration of their current terms. After the approval of this act, as provided in Section 5, the two (2) new members to the board shall be elected in the regular August 2016 election and qualified according to law. In order to maintain a board with staggered four-year terms, one (1) member of the board shall be elected at the August 2016 general election to a four-year term to fill one (1) of the newly created offices and one (1) member of the board shall be elected to a two-year term to fill the

other newly created office. Thereafter, board members shall be elected to fouryear terms as the term of each respective board member expires.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Pody moved that **House Bill No. 2550**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

*House Bill No. 1736 -- Special License Plates - As introduced, urges the department of revenue to study the issuance of specialty license plates in bordering states; urges the department to report its findings to the transportation committees no later than January 15, 2015. - Amends TCA Title 55, Chapter 4 and Chapter 318 of the Public Acts of 2013. by *Sexton, *Moody, *Hill M, *Eldridge, *Hill T. (SB1913 by *Green, *Burks)

On motion, House Bill No. 1736 was made to conform with **Senate Bill No. 1913**; the Senate Bill was substituted for the House Bill.

Rep. Sexton moved that Senate Bill No. 1913 be passed on third and final consideration.

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Rep. Dean moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Camper moved the previous question, which motion prevailed.

Rep. Sexton moved that **Senate Bill No. 1913** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2228 -- Public Employees - As introduced, entitles estate of any correctional officer employed by the state or a political subdivision of the state who is killed in the line of duty to receive \$25,000. - Amends TCA Title 7, Chapter 51, Part 2 and Title 41. by *Calfee. (*SB2268 by *Yager, *Summerville, *Bowling)

On motion, House Bill No. 2228 was made to conform with **Senate Bill No. 2268**; the Senate Bill was substituted for the House Bill.

Rep. Calfee moved that Senate Bill No. 2268 be passed on third and final consideration.

Rep. Haynes moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Calfee moved that **Senate Bill No. 2268** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley,

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Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 2538 -- Orme - As introduced, subject to local approval, rewrites the town charter. - Amends Chapter 630 of the Private Acts of 1935. by *Spivey. (SB2631 by *Bowling)

Rep. Spivey moved that **House Bill No. 2538** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 2537 -- South Pittsburg - As introduced, subject to local approval, permits the text of every ordinance to be made available to the public in any medium, rather than solely in a newspaper of general circulation; changes the requirement that each ordinance be read and passed from three separate days to two separate days. - Amends Chapter 213 of the Private Acts of 1992; as amended. by *Spivey. (SB2613 by *Bowling)

Rep. Spivey moved that **House Bill No. 2537** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, 4098

Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 2536 -- Westmoreland - As introduced, subject to local approval, authorizes salaries of the mayor and aldermen to be set by ordinance rather than establishing specific salary amounts in the charter; requires mayor to attend and participate in all state, regional, county and municipal meetings designed to assist cities, to the extent reasonably possible. - Amends Chapter 306 of the Private Acts of 1951; as amended. by *Lamberth. (SB2627 by *Haile)

On motion, House Bill No. 2536 was made to conform with **Senate Bill No. 2627**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that **Senate Bill No. 2627** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	5
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 2542 -- Portland - As introduced, subject to local approval, authorizes city council to prescribe by ordinance a dollar limit over which competitive bidding is required, absent a general state law exception. - Amends Chapter 568 of the Private Acts of 1939; as amended. by *Lamberth. (SB2633 by *Haile)

Rep. Lamberth moved that **House Bill No. 2542** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry 4099

J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on the **House Bill No. 2228** and have this statement entered in the Journal: Rep(s). Moody.

REGULAR CALENDAR, CONTINUED

House Bill No. 2552 -- Municipal Government - As introduced, allows persons owning property in the City of Doyle to vote in city elections if they own at least a 50 percent fee simple interest in a parcel of real property of at least 5,000 square feet or appraised for tax purposes at not less than \$3,000 for the six-month period immediately preceding an election. - Amends TCA Title 2 and Title 6, as amended. by *Bailey. (*SB2646 by *Burks)

Rep. Bailey moved that **House Bill No. 2552** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Hardaway -- 1

A motion to reconsider was tabled.

*House Bill No. 8 -- Criminal Offenses - As introduced, creates the Class C felony of aggravated vehicular assault as a criminal offense. - Amends TCA Title 39 and Title 40. by

4100

*Sargent, *Lamberth, *Watson, *Weaver, *VanHuss, *Camper, *Kane, *Carter, *Hardaway, *Gilmore, *Casada, *Durham. (SB579 by *Johnson, *Bowling)

Rep. McCormick requested that House Bill No. 8 be moved down five places on the Calendar, which motion prevailed.

House Bill No. 1379 -- Constitutional Conventions - As introduced, establishes that general assembly appoints and recalls delegates to Article V convention; requires delegates to abide by instructions given to delegates by the general assembly. - Amends TCA Title 2 and Title 3. by *Brooks K, *Butt, *Lynn, *Kane. (*SB1432 by *Norris, *Bell, *Stevens, *Henry, *Kelsey, *McNally)

On motion, House Bill No. 1379 was made to conform with **Senate Bill No. 1432**; the Senate Bill was substituted for the House Bill.

Rep. K. Brooks moved that Senate Bill No. 1432 be passed on third and final consideration.

Rep. M. Hill moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1432 by deleting § 3-1-1807(a) in its entirety and by substituting instead the following:

- (a) To be elected as a delegate or as an alternate delegate to an Article V convention, an individual must be a member of the general assembly at the time that an Article V convention is called.
- Rep. K. Brooks moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes	40
Noes	50
Present and not voting	

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Carr D, Carter, Casada, Dean, Dennis, Doss, Eldridge, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Johnson C, Jones, Keisling, Lamberth, Lundberg, Marsh, McCormick, Moody, Powers, Ramsey, Roach, Sargent, Sexton, Swann, Todd, Travis, Weaver, White D, White M, Wirgau, Madam Speaker Harwell -- 40

Representatives voting no were: Akbari, Armstrong, Calfee, Camper, Carr J, Coley, Cooper, DeBerry J, Dunn, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Gilmore, Hardaway, Hill M, Hill T, Holt, Jernigan, Johnson G, Love, Lynn, Matheny, Matlock, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Rich, Rogers, Sanderson, Shaw, Shepard, Shipley, Spivey, Stewart, Tidwell, Towns, Turner J, Turner M, Van Huss, Williams K, Williams R, Windle, Womick -- 50

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Representatives present and not voting were: Durham – 1

After further discussion Rep. K. Brooks moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes40	
Noes	

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Carr D, Carr J, Carter, Dean, Doss, Dunn, Eldridge, Farmer, Forgety, Halford, Harrison, Hawk, Haynes, Johnson C, Lamberth, Lollar, Lundberg, Lynn, Marsh, McCormick, McDaniel, Powers, Ramsey, Rich, Roach, Sargent, Sexton, Swann, Todd, Travis, Weaver, White M, Williams K, Williams R, Madam Speaker Harwell -- 40

Representatives voting no were: Akbari, Butt, Calfee, Casada, Coley, Cooper, DeBerry J, Durham, Evans, Faison, Favors, Fitzhugh, Floyd, Gilmore, Goins, Hall, Hardaway, Hill M, Hill T, Holt, Jernigan, Johnson G, Jones, Kane, Keisling, Love, Matheny, Matlock, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Rogers, Sanderson, Shaw, Shepard, Shipley, Spivey, Stewart, Tidwell, Towns, Turner J, Turner M, Van Huss, White D, Windle, Wirgau, Womick -- 52

Rep. K. Brooks requested that Senate Bill No. 1432 be moved to the heel of the Calendar, which motion prevailed.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "aye" to "no" on the **House Bill No. 1754** and have this statement entered in the Journal: Rep(s). Holt.

SPECIAL ORDER

Without objection, Rep. McCormick moved the House take up the Message Calendar out of order at this time, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

Senate Bill No. 1266 -- Education, Curriculum - As introduced, requires emphasis on American foundational instruments and instruction in American historical achievement. - Amends TCA Title 49. by *Niceley, *Bowling, *Ford. (HB1129 by *Hill T, *Brooks K, *Casada, *Sexton, *Bailey, *Rogers, *Van Huss)

Rep. T. Hill requested that Senate Bill No. 1266 be moved to the heel of the Calendar, which motion prevailed.

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HOUSE ACTION ON SENATE AMENDMENTS

*House Bill No. 1574 -- Controlled Substances - As introduced, lowers the maximum amount of products containing ephedrine or pseudoephedrine that may be purchased in a 30 day period; alters the requirements for a stop-sale override when completion of a sale would violate the maximum limits. - Amends TCA Title 39, Chapter 17, Part 4. by *McCormick, *Hawk, *Brooks K, *Ramsey, *Watson, *Powers, *Shipley, *Hardaway, *Sanderson, *Ragan, *Towns, *Pitts, *Mitchell, *Eldridge, *Stewart. (SB1751 by *Norris, *McNally, *Ketron)

Senate Amendment No. 2

AMEND House Bill No. 1574 by deleting all language following the enacting clause of the bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-431(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c)

- (1) A pharmacy shall not sell products containing ephedrine or pseudoephedrine base, or their salts, isomers or salts of isomers to the same person in an amount more than:
 - (A) Four and eight tenths (4.8) grams in any period of thirty (30) consecutive days; or
 - (B) Fourteen and four tenths (14.4) grams in any one-year period.
- (2) A person shall not purchase products containing ephedrine or pseudoephedrine base, or their salts, isomers or salts of isomers in an amount more than:
 - (A) Four and eight tenths (4.8) grams in any period of thirty (30) consecutive days; or
 - (B) Fourteen and four tenths (14.4) grams in any one-year period.
- (3) The limits in this subsection (c) shall apply whether one (1) form of identification required in subsection (d) is used to make the purchase or if two (2) or more forms of identification required in subsection (d) are used to purchase

the products. The limits contained in this subsection (c) shall apply to the total amount of base ephedrine and pseudoephedrine contained in the products and not the overall weight of the products. The prohibitions contained in this subsection (c) shall not apply to a person who obtains the product or products pursuant to a valid prescription issued by a 4103

licensed health care practitioner authorized to prescribe by the laws of the state.

- (4) This subsection (c) also shall apply to pharmacist-generated prescription orders of the product pursuant to § 63-10-206. The provision of the patient education and counseling as a part of the practice of pharmacy shall be required when any product is issued under this subsection (c).
- (5) There shall be no protocol or procedure mandated by any individual or corporate entity that interferes with the pharmacist's professional duty to counsel and evaluate the patient's appropriate pharmaceutical needs and the exercise of the pharmacist's professional judgment as to whether it is appropriate to dispense medication as set forth in subsection (d) or otherwise.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

Senate Amendment No. 6

AMEND House Bill No. 1574 by inserting the following new section immediately preceding the last section and by renumbering the existing sections accordingly:

SECTION ___. Tennessee Code Annotated, Section 39-17-431, is amended by adding the following language as a new, appropriately designated subsection:

() No person under eighteen (18) years of age may purchase a product that contains any immediate methamphetamine precursor, except pursuant to a valid prescription issued by a licensed healthcare practitioner authorized to prescribe by the law of the state or a pharmacist generated prescription.

Rep. Hawk moved that the House concur in Senate Amendment(s) No(s). 2 and 6 to House Bill No. 1574.

Rep. K. Williams moved the previous question, which motion failed by the following vote:

Ayes	1	18
Noes	6	37

Representatives voting aye were: Alexander, Brooks K, Carr D, Coley, Farmer, Harrison, Lollar, Marsh, Matlock, McDaniel, Mitchell, Odom, Pitts, Ramsey, Sanderson, Swann, Williams K, Wirgau, Madam Speaker Harwell -- 19

Representatives voting no were: Akbari, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr J, Carter, Casada, Cooper, Dean, DeBerry J, Dennis, Durham, Eldridge, Evans, Faison, Favors, Fitzhugh, Forgety, Gilmore, Halford, Hall, Hardaway, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Matheny, McCormick, Miller, Moody, Parkinson, Pody, Powell, Rich, Roach,

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Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Tidwell, Todd, Towns, Turner J, Turner M, White D, White M, Williams R, Windle, Womick -- 67

After further discussion, Rep. Sexton moved the previous question, which motion pravailed by the following vote:

Ayes	58
Noes	25
Present and not voting	

Representatives voting aye were: Alexander, Armstrong, Calfee, Carr D, Carter, Casada, Dennis, Doss, Durham, Eldridge, Evans, Floyd, Goins, Hall, Hardaway, Harrison, Hawk, Hill T, Holt, Johnson C, Johnson G, Jones, Keisling, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Odom, Parkinson, Pitts, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Spivey, Swann, Travis, Turner J, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 58

Representatives voting no were: Akbari, Bailey, Brooks K, Carr J, Coley, Cooper, Dean, Faison, Forgety, Halford, Haynes, Hill M, Jernigan, Kane, Lamberth, Love, Pody, Powell, Shaw, Shipley, Tidwell, Todd, Towns, Van Huss, Weaver -- 25

Representatives present and not voting were: Camper -- 1

Rep. Hawk moved that the House concur in Senate Amendment(s) No(s). 2 and 6 to **House Bill No. 1574**, which motion failed by the following vote:

Ayes	10
Noes	80

Representatives voting aye were: Alexander, Carr D, Doss, Harrison, Marsh, McDaniel, Stewart, Swann, Williams K, Windle -- 10

Representatives voting no were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Matheny, Matlock, McCormick, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Tidwell, Todd, Towns, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 80

Rep. Hawk moved to nonconcur in Senate Amendment(s) No(s). 2 and 6, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1745 -- Alcoholic Beverages - As introduced, removes obsolete definitions of "premier type tourist resorts". - Amends TCA Title 57, Chapter 4, Part 1. by *Faison. (*SB1810 by *Niceley)

Senate Amendment No. 5

AMEND House Bill No. 1745 by adding the following as new sections immediately preceding the effective date section and by renumbering the effective date section accordingly:

SECTION ____. Tennessee Code Annotated, Section 57-4-101, is amended by adding the following new subsection:

- (m) A premier type tourist resort, as defined in § 57-4-102(26)(FFF), licensed pursuant to this part 1, shall be allowed to sell beer, as beer is defined in § 57-5-101(b), to its patrons or guests, for either on premise or off premise consumption provided such premier type tourist resort, as defined in § 57-4-102(26)(FFF), obtains a permit, pursuant to title 57, chapter 5, issued by the county or city where such premier type tourist resort is located.
- SECTION ____. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following language as a new, appropriately designated subdivision:
 - () A commercially owned marina, resort and recreational facility possessing each of the following characteristics:
 - (i) Includes a full service marina that includes at least one hundred (100) covered boat slips, at least thirty-five (35) mouring line buoys, at least five (5) floating home rentals, and offers for rental at least fourteen (14) watercraft of various types including ski-boats, single and double deck pontoons, jet skis, and standup paddle boats; and which is located at Big Creek Mile eight.zero L (8.0L), Whitman Hollow Branch Norris Reservoir;
 - (ii) Has a restaurant with at least seventy-five (75) seats combined indoors and outdoors, which serves at least ten (10) meals on a weekly basis,

with exceptions of closures for private groups or events, and seasonal closures, vacations, general maintenance and remodeling by the owners; provided, however, that food shall be made available at any time that alcoholic beverages are being served;

- (iii) Has at least seven (7) campsites;
- (iv) Has at least two (2) vacation rental homes;
- (v) Does not discriminate against any patron on the basis of age, gender, race, religion, or national origin; and

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(vi) Is located in any county having a population of not less than

forty thousand seven hundred (40,700) nor more than forty thousand

eight hundred (40,800) according to the 2010 federal census or any subsequent federal census.
SECTION Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following language as a new, appropriately designated subdivision:
() A commercially owned marina, resort and recreational facility possessing each of the following characteristics:
(i) Has a full service marina that includes at least three hundred (300) boat slips and is located on Norris Lake;
(ii) Has a restaurant with at least seventy-five (72) indoor seats and seventy-two (72) outdoor seats, which serves at least ten (10) meals on a weekly basis, with exceptions of closures for private groups or events, and seasonal closures, vacations, general maintenance and remodeling by the owners; provided, however, that food shall be made available at any time that alcoholic beverages are being served;
(iii) Has a motel with at least twenty-four (24) rooms;
(iv) Has at least two (2) vacation rental cabins and at least twenty-three (23) recreational vehicle (RV) slots;
(v) Does not discriminate against any patron on the basis of age, gender, race, religion, or national origin; and
(vi) Is located in any county having a population of not less than forty thousand seven hundred (40,700) nor more than forty thousand eight hundred (40,800) according to the 2010 federal census or any subsequent federal census.
Rep. Faison moved that the House concur in Senate Amendment No. 5 to House Bill No. 1745 , which motion prevailed by the following vote:
Ayes 72 Noes 12 Present and not voting 3

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Casada, Cooper, Dennis, Doss, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Odom, Parkinson, Powell, Powers, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Swann, Tidwell, Todd, Towns, Travis, Turner J, Weaver, White D, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 72

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Representatives voting no were: Coley, DeBerry J, Evans, Floyd, Hill M, Lollar, Moody, Pitts, Rogers, Van Huss, White M, Windle -- 12

Representatives present and not voting were: Butt, Dean, Pody -- 3

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 1760 -- Education - As introduced, prohibits counting walking to and from class towards the minimum of 90 minutes per week of required physical activity for public school students. - Amends TCA Section 49-6-1021. by *Ketron. (*HB1658 by *Brooks K, *Lamberth)

Rep. K. Brooks moved that the House refuse to recede from its action in nonconcurring in Senate Amendment(s) No(s). 2, 3, 8 and 10 to Senate Bill No. 1760, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

*House Bill No. 2208 -- Civil Procedure - As introduced, authorizes a trustee to rescind a foreclosure sale within five business days of a sale of land for the foreclosure of a deed of trust. - Amends TCA Title 8; Title 16; Title 21; Title 26 and Title 35. by *Wirgau. (SB2399 by *Green)

Senate Amendment No. 3

AMEND House Bill No. 2208 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 8-21-401, is amended by deleting from subdivision (i)(7) the language "ten percent (10%) on the amount of sales up to six thousand dollars (\$6,000), and an additional amount to be fixed within such limits, in the discretion of the court" and substituting instead the language "three percent (3%) on the amount of sales".

SECTION 2. Tennessee Code Annotated, Section 8-21-801, is amended by deleting the period at the end of the section and substituting instead the following language:

; provided, however, that no special commissioner shall be permitted to receive a commission in excess of that specified pursuant to § 8-21-401(i)(7) for selling real or personal property under decree of court, and receiving, collecting, and paying out the proceeds.

SECTION 3. Tennessee Code Annotated, Section 35-5-109, is amended by adding the following language at the end of the section:

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The day fixed may be any day Monday through Saturday, but shall not be fixed on a state or federal legal holiday.

SECTION 4. This act shall take effect July 1, 2014, the public welfare requiring it.

Rep. Wirgua moved that the House concur in Senate Amendment No. 3 to **House Bill No. 2208**, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

Senate Bill No. 1266 -- Education, Curriculum - As introduced, requires emphasis on American foundational instruments and instruction in American historical achievement. - Amends TCA Title 49. by *Niceley, *Bowling, *Ford. (HB1129 by *Hill T, *Brooks K, *Casada, *Sexton, *Bailey, *Rogers, *Van Huss)

Rep. T. Hill moved that Senate Bill No. 1266 be reset for the next available Message Calendar, which motion prevailed.

RECESS

On motion of Rep. McCormick the House stood in recess until 1:30 PM, today, which motion prevailed.

RECESS EXPIRED

The recess having expired, the House was called to order by Madam Speaker Harwell.

ROLL CALL DISPENSED WITH

On motion of Rep. K. Brooks the roll call was dispensed with.

4109

REGULAR CALENDAR, CONTINUED

*House Bill No. 1452 -- Education, Higher - As introduced, allows part-time employees of the state university and community college system and the University of Tennessee to enroll in one course per semester at a state supported college or university or state college of applied technology without paying tuition charges or maintenance fees. - Amends TCA Title 49, Chapter 7 and Title 49, Chapter 7. by *Powers, *Roach, *Parkinson. (SB1709 by *Yager)

On motion, House Bill No. 1452 was made to conform with **Senate Bill No. 1709**; the Senate Bill was substituted for the House Bill.

- Rep. Powers moved that Senate Bill No. 1709 be passed on third and final consideration.
- Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.
- Rep. H. Brooks moved that Education Committee Amendment No. 2 be withdrawn, which motion prevailed.
- Rep. Powers moved that **Senate Bill No. 1709** be passed on third and final consideration, which motion prevailed by the following vote:

Αу	es	82
No	es	. 0

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Doss, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 82

A motion to reconsider was tabled.

*House Bill No. 2476 -- Capital Punishment - As introduced, provides that if the lethal injection method of carrying out the punishment of death is found to be unconstitutional or the commissioner certifies to the governor that an essential ingredient for that method is unavailable, the method of carrying out the death sentence is electrocution. - Amends TCA Title 40, Chapter 23, Part 1. by *Powers. (SB2580 by *Yager)

4110

On motion, House Bill No. 2476 was made to conform with **Senate Bill No. 2580**; the Senate Bill was substituted for the House Bill.

Rep. Powers moved that Senate Bill No. 2580 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2580 by deleting all language after the enacting clause and by substituting instead the following:

- SECTION 1. Tennessee Code Annotated, Section 40-23-114, is amended by adding the following new subsection (e):
 - (e) For any person who commits an offense or has committed an offense for which the person is sentenced to the punishment of death, the method of carrying out the sentence shall be by lethal injection unless subdivision (e)(1) or (e)(2) is applicable. If subdivision (e)(1) or (e)(2) is applicable, the method of carrying out the sentence shall be by electrocution. The alternative method of execution shall be used if:
 - (1) Lethal injection is held to be unconstitutional by a court of competent jurisdiction in the manner described in subsection (d); or
 - (2) The commissioner of correction certifies to the governor that one (1) or more of the ingredients essential to carrying out a sentence of death by lethal injection is unavailable through no fault of the department.
- SECTION 2. This act shall be known and may be cited as "The Capital Punishment Enforcement Act".
 - SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

- Rep. Powell moved that Amendment No. 2 be withdrawn, which motion prevailed.
- Rep. M. Hill moved the previous question, which motion prevailed.
- Rep. Powers moved that **Senate Bill No. 2580**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	68
Noes	13
Present and not voting	

Representatives voting aye were: Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Doss, Dunn, Durham, Eldridge, Evans, Farmer, Floyd, Forgety, Goins, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, Mitchell, Moody, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 68

Representatives voting no were: Cooper, Favors, Hardaway, Jernigan, Jones, Miller, Odom, Parkinson, Pitts, Shaw, Stewart, Turner J, Turner M -- 13

Representatives present and not voting were: Camper, Johnson G, Powell -- 3

A motion to reconsider was tabled.

*House Bill No. 1500 -- Lottery, Scholarships and Programs - As introduced, allows a Tennessee student graduating from an out-of-state boarding school that is accredited by a member of the National Association of Independent Schools Commission on Accreditation to be eligible for Tennessee HOPE lottery scholarship, if the student meets all other applicable requirements for the scholarship. - Amends TCA Title 49, Chapter 4, Part 9. by *Lundberg. (SB1778 by *Crowe)

On motion, House Bill No. 1500 was made to conform with **Senate Bill No. 1778**; the Senate Bill was substituted for the House Bill.

Rep. Lundberg moved that **Senate Bill No. 1778** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes	0

Representatives voting aye were: Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick -- 86

A motion to reconsider was tabled.

*House Bill No. 8 -- Criminal Offenses - As introduced, creates the Class C felony of aggravated vehicular assault as a criminal offense. - Amends TCA Title 39 and Title 40. by *Sargent, *Lamberth, *Watson, *Weaver, *VanHuss, *Camper, *Kane, *Carter, *Hardaway, *Gilmore, *Casada, *Durham. (SB579 by *Johnson, *Bowling)

Further consideration of House Bill No. 8 previously considered on today's Calendar.

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Rep. K. Brooks requested that House Bill No. 8 be moved down ten places on the Calendar, which motion prevailed.

House Bill No. 1528 -- State Employees - As introduced, creates the three stars of Tennessee award and an advisory committee that selects and awards peace officers, firefighters, and medical first responders killed or injured in the line of duty. - Amends TCA Title 4, Chapter 1. by *Haynes, *Ragan, *Casada, *Evans, *Brooks K. (*SB1691 by *Massey, *Crowe, *Burks, *Beavers, *Bell, *Bowling, *Campfield, *Dickerson, *Finney , *Ford, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Henry, *Hensley, *Johnson, *Kelsey, *Ketron, *Kyle, *McNally, *Niceley, *Norris, *Overbey, *Southerland, *Stevens, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey)

On motion, House Bill No. 1528 was made to conform with **Senate Bill No. 1691**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that Senate Bill No. 1691 be passed on third and final consideration.

Rep. Sanderson moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Haynes moved that all members voting aye on Senate Bill No. 1691 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Haynes moved that **Senate Bill No. 1691** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

*House Bill No. 1661 -- Criminal Offenses - As introduced, requires a person convicted of manufacturing methamphetamine to serve at least 180 days in confinement and a person 4113

convicted of possession of methamphetamine to serve at least 30 days in confinement. - Amends TCA Title 39, Chapter 17, Part 4. by *Hill T, *VanHuss, *Hill M, *Lamberth, *Sexton, *Faison, *Casada, *Rich, *White D, *Williams K, *Watson. (SB2021 by *Beavers, *Bowling)

On motion, House Bill No. 1661 was made to conform with **Senate Bill No. 2021**; the Senate Bill was substituted for the House Bill.

Rep. T. Hill moved that Senate Bill No. 2021 be passed on third and final consideration.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Harrison moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. T. Hill moved that **Senate Bill No. 2021** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akbari, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

*House Bill No. 1665 -- Industrial Development - As introduced, extends allocation of certain funds to Four Lake regional industrial development authority from fiscal year 2013-2014 to 2017-2018. - Amends TCA Section 67-9-102. by *Weaver, *Keisling, *Pody, *Lamberth, *Rogers, *Lynn. (SB1790 by *Haile)

On motion, House Bill No. 1665 was made to conform with **Senate Bill No. 1790**; the Senate Bill was substituted for the House Bill.

Rep. Weaver moved that **Senate Bill No. 1790** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akbari, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, 4114

Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

House Bill No. 1768 -- Disabled Persons - As introduced, elevates from a Class E felony to a Class D felony the penalty for knowingly abusing, neglecting or exploiting an adult who is unable to manage his or her resources or carry out the activities of daily living due to mental or physical dysfunctions or advanced age. - Amends TCA Section 71-6-117. by *Rogers, *Miller, *Kane. (*SB1852 by *Crowe, *Burks, *Norris)

On motion, House Bill No. 1768 was made to conform with **Senate Bill No. 1852**; the Senate Bill was substituted for the House Bill.

Rep. Rogers moved that Senate Bill No. 1852 be passed on third and final consideration.

Rep. Faison moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that Criminal Justice Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Harrison moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 3, be withdrawn, which motion prevailed.

Rep. Rogers moved that **Senate Bill No. 1852** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Keisling voted "aye" on **Senate Bill No. 1852**.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on the **Senate Bill No. 2580** and have this statement entered in the Journal: Rep(s). Alexander.

REGULAR CALENDAR, CONTINUED

*House Bill No. 1856 -- Collection Agencies - As introduced, exempts certain entities from the Tennessee Collection Service Act. - Amends TCA Title 62, Chapter 20. by *Keisling, *Lundberg, *Johnson C, *Sargent, *Fitzhugh. (SB2133 by *Johnson, *Green)

On motion, House Bill No. 1856 was made to conform with **Senate Bill No. 2133**; the Senate Bill was substituted for the House Bill.

Rep. Keisling moved that Senate Bill No. 2133 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. C. Johnson moved the previous question, which motion prevailed.

Rep. Keisling moved that **Senate Bill No. 2133** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 1876 -- Lottery, Scholarships and Programs - As introduced, allows students who would have qualified for the STEP UP scholarship, if the scholarship had been in effect in 2012-2013, to receive the scholarship as second year students in 2013-2014; provided the students meet the continuation requirements for the scholarship at the end of their first year of study. - Amends TCA Section 49-4-943. by *Ramsey. (*SB1905 by *Overbey, *Finney, *Massey, *Yager)

On motion, House Bill No. 1876 was made to conform with **Senate Bill No. 1905**; the Senate Bill was substituted for the House Bill.

- Rep. Ramsey moved that Senate Bill No. 1905 be passed on third and final consideration.
- Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.
- Rep. Ramsey moved that **Senate Bill No. 1905** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

*House Bill No. 1954 -- Employees, Employers - As introduced, revises various provisions concerning employment litigation in Tennessee. - Amends TCA Title 4, Chapter 21; Title 8, Chapter 50 and Title 50, Chapter 1. by *Dennis, *Casada, *Harrison. (SB2126 by *Johnson, *Kelsey)

On motion, House Bill No. 1954 was made to conform with **Senate Bill No. 2126**; the Senate Bill was substituted for the House Bill.

- Rep. Dennis moved that Senate Bill No. 2126 be passed on third and final consideration.
- Rep. Eldridge moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.
- Rep. Lundberg moved the previous question, which motion prevailed by the following vote:

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Ayes6	37
Noes	17

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Calfee, Carr D, Carr J, Coley, Dean, Dennis, Doss, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner M, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 67

Representatives voting no were: Akbari, Camper, DeBerry J, Dunn, Fitzhugh, Gilmore, Hardaway, Hill M, Hill T, Jernigan, Johnson G, Miller, Odom, Parkinson, Pitts, Turner J, Van Huss -- 17

Rep. Dennis moved that **Senate Bill No. 2126** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	61
Noes	
Present and not voting	

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Butt, Calfee, Carr J, Coley, Dean, DeBerry J, Dennis, Doss, Eldridge, Evans, Farmer, Floyd, Forgety, Goins, Halford, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Jones, Kane, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Pody, Powell, Powers, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Todd, Travis, Van Huss, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 61

Representatives voting no were: Camper, Carr D, Cooper, Dunn, Favors, Gilmore, Hardaway, Jernigan, Johnson G, Keisling, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Ramsey, Shaw, Stewart, Swann, Turner J, Turner M, Williams K -- 23

Representatives present and not voting were: Akbari -- 1

A motion to reconsider was tabled.

House Bill No. 1972 -- Sexual Offenders - As introduced, extends to all registered sexual offenders certain residential, work and other restrictions that currently apply only to registered sexual offenders whose victims were minors. - Amends TCA Title 40, Chapter 39, Part 2. by *Pitts. (*SB2090 by *Green)

On motion, House Bill No. 1972 was made to conform with **Senate Bill No. 2090**; the Senate Bill was substituted for the House Bill.

Rep. Pitts moved that Senate Bill No. 2090 be passed on third and final consideration.

Rep. Faison moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Pitts moved that **Senate Bill No. 2090** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

House Bill No. 1973 -- Students - As introduced, requires the department of education to maintain the unique personal identification numbers of students of active duty military parents or guardians in a separate database to identify and track these students if the students move to different schools across the state and country. - Amends TCA Title 49, Chapter 1 and Title 49, Chapter 6. by *Pitts. (*SB2006 by *Green)

On motion, House Bill No. 1973 was made to conform with **Senate Bill No. 2006**; the Senate Bill was substituted for the House Bill.

- Rep. Pitts moved that Senate Bill No. 2006 be passed on third and final consideration.
- Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.
 - Rep. Powell moved the previous question, which motion prevailed.
- Rep. Pitts moved that **Senate Bill No. 2006** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	53
Noes	
Present and not voting	

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Camper, Carr D, Coley, Cooper, DeBerry J, Dennis, Doss, Dunn, Eldridge, Faison, Farmer,

Favors, Fitzhugh, Forgety, Gilmore, Halford, Hardaway, Harrison, Hawk, Jernigan, Johnson C, Johnson G, Jones, Lamberth, Love, Lundberg, Marsh, McDaniel, Miller, Odom, Parkinson, Pitts, Powell, Ramsey, Rich, Roach, Shaw, Shepard, Stewart, Swann, Tidwell, Travis, Turner M, Weaver, White M, Williams R, Windle, Madam Speaker Harwell -- 53

Representatives voting no were: Alexander, Butt, Calfee, Carr J, Casada, Floyd, Goins, Hall, Haynes, Hill M, Hill T, Holt, Kane, Lollar, Lynn, Matheny, Matlock, Pody, Rogers, Sanderson, Spivey, Turner J, Van Huss, White D, Williams K, Wirgau -- 26

Representatives present and not voting were: Evans, Sparks, Todd -- 3

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "no" on the **Senate Bill No. 2006** and have this statement entered in the Journal: Rep(s). Moody.

REGULAR CALENDAR, CONTINUED

*House Bill No. 8 -- Criminal Offenses - As introduced, creates the Class C felony of aggravated vehicular assault as a criminal offense. - Amends TCA Title 39 and Title 40. by *Sargent, *Lamberth, *Watson, *Weaver, *VanHuss, *Camper, *Kane, *Carter, *Hardaway, *Gilmore, *Casada, *Durham. (SB579 by *Johnson, *Bowling)

Further consideration of House Bill No. 8 previously considered on today's Calendar.

On motion, House Bill No. 8 was made to conform with **Senate Bill No. 579**; the Senate Bill was substituted for the House Bill.

- Rep. Sargent moved that Senate Bill No. 579 be passed on third and final consideration.
- Rep. Shipley moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.
- Rep. Shipley moved that Criminal Justice Committee Amendment No. 2 be withdrawn, which motion prevailed.
 - Rep. Stewart moved that Amendment No. 3 be withdrawn, which motion prevailed.
 - Rep. Stewart moved that Amendment No. 4 be withdrawn, which motion prevailed.
- Rep. Sargent moved that **Senate Bill No. 579** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

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Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

House Bill No. 2177 -- Criminal Offenses - As introduced, states that serious bodily injury to a child shall include second- or third-degree burns, a fracture of any bone, a concussion, subdural or subarachnoid bleeding, retinal hemorrhage, cerebral edema, brain contusion, injuries to the skin that involve severe bruising or the likelihood of permanent or protracted disfigurement, including those sustained by whipping children with objects. - Amends TCA Title 39 and Title 40. by *Rich. (*SB1690 by *Massey, *Burks, *Norris, *Overbey)

On motion, House Bill No. 2177 was made to conform with **Senate Bill No. 1690**; the Senate Bill was substituted for the House Bill.

Rep. Rich moved that Senate Bill No. 1690 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 1690 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____. Tennessee Code Annotated, Section 40-6-308(c), is amended by deleting the subsection and substituting instead the following:

(c) Whenever an order authorizing interception is entered pursuant to § 40-6-304(c), the order shall require that reports be made to the judge who issued the order showing what progress has been made toward achievement of the authorized objective and the need for continued interception. Reports shall be made at ten-day intervals, with the first report required on the tenth day after the interception begins or is extended. However, in cases where orders for multiple telephones have been issued by a single judge and pertain to the same investigation, the issuing judge may direct that all progress reports be consolidated into a single report and filed at such times as directed by the judge.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Rich moved that **Senate Bill No. 1690**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell --92

A motion to reconsider was tabled.

*House Bill No. 2184 -- Hospitals and Health Care Facilities - As introduced, makes outof-state medical laboratories subject to rebate prohibition in medical laboratory statute and other provisions of that statute deemed necessary by the medical laboratory board to protect the public. - Amends TCA Title 68, Chapter 29. by *Matlock, *Rich, *Harrison. (SB2434 by *Crowe)

On motion, House Bill No. 2184 was made to conform with **Senate Bill No. 2434**; the Senate Bill was substituted for the House Bill.

Rep. Rich moved that **Senate Bill No. 2434** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Rich -- 1

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A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on the **Senate Bill No. 2434** and have this statement entered in the Journal: Rep(s). M. Hill.

REGULAR CALENDAR, CONTINUED

House Bill No. 2206 -- Air Pollution - As introduced, requires the air pollution control board to require the department of environment and conservation to cause an on-site inspection of any crematory's incinerators that will be used for non-human remains before issuing a permit. - Amends TCA Title 39; Title 44; Title 62, Chapter 5; Title 68 and Title 69, Chapter 3. by *Windle. (*SB2266 by *Yager, *Ford)

On motion, House Bill No. 2206 was made to conform with **Senate Bill No. 2266**; the Senate Bill was substituted for the House Bill.

Rep. Windle moved that Senate Bill No. 2266 be passed on third and final consideration.

Rep. Halford moved adoption of Agriculture and Natural Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2266 by deleting all of the language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 2, is amended by adding the following as a new section:

39-14-218.

- (a) As used in this section, "cremation" means the heating process by which the remains of a deceased animal are reduced to bone fragments through combustion and evaporation; provided, however, that "cremation" does not include any reduction of animal remains to bone fragments that is incidental to the preparation of food or any manufacturing process.
- (b) No person who, for remuneration, engages in the cremation of animal remains in this state, shall fail to ensure that a written receipt is provided to each person who delivers animal remains to such person for cremation. The receipt shall be signed by both the person who receives

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the animal remains and the person who delivered the animal remains for cremation and shall indicate:

- (1) The name of the deceased animal, if any;
- (2) The date and time of delivery;
- (3) The name of the person who delivered the animal remains for cremation; and
- (4) The name of the person who received the animal remains for cremation from the person identified in subdivision (b)(3).
- (c) At the time of releasing the cremated remains of an animal, a person who, for remuneration, engages in the cremation of animal remains in this state shall ensure that a written receipt signed by both the person who released the cremated animal remains and the person who received the cremated animal remains is provided to the person who received the cremated animal remains. The receipt shall indicate:
 - (1) The name of the deceased animal, if any;
 - (2) The date and time of the release;
 - (3) The name of the person to whom the cremated animal remains were released; and
 - (4) The name of the person who released the cremated animal remains to the person identified in subdivision (c)(3).
- (d) The requirements of this section shall not apply to veterinarians licensed to practice in this state in accordance with title 63, chapter 12, part 1.
- (e) Failure to provide a receipt as required by subsections (b) or (c) is a Class E felony. In addition to any authorized period of incarceration, failure to provide a receipt as required by subsections (b) or (c) is punishable by a fine in the amount of no less than five hundred dollars (\$500).
- SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Agriculture and Natural Resources Committee Amendment No. 1 was adopted.

Rep. Jernigan moved the previous question, which motion prevailed.

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Rep. Windle moved that **Senate Bill No. 2266**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	1
Present and not voting	

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Dunn, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 85

Representatives voting no were: Doss -- 1

Representatives present and not voting were: Powers -- 1

A motion to reconsider was tabled.

House Bill No. 2249 -- Textbooks - As introduced, restructures the textbook commission and the textbook selection process. - Amends TCA Title 4 and Title 49. by *Casada, *Womick, *Butt, *Dunn, *Sargent, *White D, *Matheny, *Evans, *Brooks K, *Weaver, *Rogers, *Sparks, *Goins, *Coley. (*SB1602 by *Bell, *Gresham, *Stevens, *Yager, *Johnson, *Tracy, *Hensley, *Crowe, *Tate, *Ketron, *Campfield, *Haile)

On motion, House Bill No. 2249 was made to conform with **Senate Bill No. 1602**; the Senate Bill was substituted for the House Bill.

Rep. Casada moved that Senate Bill No. 1602 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1602 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-235(a), is amended by deleting subdivision (47) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-238(a), is amended by adding the following language as a new, appropriately designated subdivision:

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() State textbook and instructional materials quality commission, created by § 49-6-2201;

SECTION 3. Tennessee Code Annotated, Section 49-6-2201, is amended by deleting the section in its entirety and by substituting instead the following:

49-6-2201.

(a)

- (1) There is created a state textbook commission composed of ten (10) members, nine (9) of whom shall be appointed as follows:
 - (A) The speaker of the senate shall appoint two (2) members;
 - (B) The speaker of the house of representatives shall appoint two (2) members; and
 - (C) The governor shall appoint five (5) members.
- (2) The commissioner of education shall be an ex officio secretary of the commission, with the right to vote, and shall serve without additional compensation for such service.

(b)

- (1) One (1) member of the commission shall be appointed from each of the following groups:
 - (A) County directors of schools;
 - (B) City directors of schools;
 - (C) School principals;
 - (D) Teachers and instructional supervisors in the lower grades, grades kindergarten through three (K-3);
 - (E) Teachers and instructional supervisors in the intermediate grades, grades four through eight (4-8); and

- (F) Teachers and instructional supervisors in the upper grade subjects, grades nine through twelve (9-12).
- (2) The three (3) remaining members shall be citizens of this state who are not employed in the public kindergarten through grade twelve (K-12) educational system but who are knowledgeable of education issues in this state. These three (3) members shall reside in different grand divisions.
- (3) There shall be three (3) appointed members from each grand division on the commission.
- (c) The appointing authorities shall consult with each other prior to appointing any member to the commission to ensure that appointments are made in accordance with subsections (a) and (b).

(d)

- (1) Except as otherwise provided in this subsection, each member, prior to beginning a term of office, shall be confirmed by joint resolution of the general assembly upon the recommendation of the education committees of the senate and the house of representatives.
- (2) If the general assembly is not in session at the time a member is appointed to fill a vacancy resulting from the expiration of a term, the member of the commission whose term has expired shall serve until a new appointee is confirmed as provided in subdivision (d)(1).
- (3) If the general assembly is not in session at the time a member is appointed to fill a vacancy not resulting from the expiration of a term, the new appointee shall serve for the term appointed unless such appointment is not confirmed within sixty (60) calendar days after the general assembly next convenes in regular session following such appointment.
- (4) If the general assembly is not in session when initial appointments are made, all initial appointments shall serve the terms prescribed pursuant to subdivision (f)(2), unless such appointments are not confirmed within sixty (60) calendar days after the general assembly next convenes in regular session following such appointments.

(e) Except as provided in subsection (f), the terms of the members of the commission shall be three (3) years.

(f)

- (1) The entire membership of the commission as comprised on December 31, 2014, shall be vacated on January 1, 2015, and new members shall be appointed in accordance with subsections (a) and (b).
- (2) In order to stagger the terms of the newly appointed commission members, initial appointments shall be made as follows:
 - (A) The speaker of the senate shall make one (1) initial appointment for a term of one (1) year, which shall expire on December 31, 2015, and one (1) initial appointment for a term of two (2) years, which shall expire on December 31, 2016;
 - (B) The speaker of the house of representatives shall make one (1) initial appointment for a term of one (1) year, which shall expire on December 31, 2015, and one (1) initial appointment for a term of three (3) years, which shall expire on December 31, 2017;
 - (C) The governor shall make one (1) initial appointment for a term of one (1) year, which shall expire on December 31, 2015, two (2) initial appointments for terms of two (2) years, which shall expire on December 31, 2016, and two (2) initial appointments for terms of three (3) years, which shall expire on December 31, 2017;

(g)

- (1) Following the expiration of members' initial terms as prescribed in subdivision (f)(2), all three-year terms shall begin on January 1 and terminate on December 31, three (3) years thereafter.
- (2) All members shall serve until the expiration of the term to which they were appointed and until their successors are appointed and qualified.
- (3) A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment but for the unexpired term only.

- (4) Successors shall be appointed from the same grand divisions of the state in which the members they are replacing reside.
- (5) Members shall be eligible for reappointment to the commission following the expiration of their terms, but shall serve no more than two (2) consecutive three-year terms.
- (h) At the first regular meeting in each calendar year, the members of the commission shall elect a chair for one (1) year.

(i)

- (1) Before members of the commission begin to discharge their duties, they shall take and subscribe to the following oath: "I do hereby declare that I am not now directly or indirectly financially interested in, or employed by, any textbook or instructional materials publisher or agency, and that I will not become directly or indirectly financially interested in any of the proposed contracts, nor in any book or instructional materials, nor in any publishing concern handling or offering any books or other publications to the commission, of which I am a member, for listing and adoption, and I do hereby promise that I will act honestly, faithfully and conscientiously, and in all respects will discharge my duty as a member of this commission to the best of my skill and ability."
- (2) A violation of the oath taken pursuant to subdivision (i)(1) as determined by the state board of education, in consultation with the commission, shall be grounds for the removal of a member by the respective appointing authority. A violation of the oath taken pursuant to subdivision (i)(1) may subject the commission member to criminal prosecution pursuant to applicable criminal statutes.
- (j) The department of education shall assist the commission by providing mandatory training to newly appointed members on the textbook and instructional materials review process and the completion of their assigned tasks, including, but not limited to, the following:
 - (1) The delivery of quality textbook and instructional materials programs to the LEAs of the state, as fulfilled through the development of rules for the bidding and contracting of textbook and instructional materials programs;

- (2) The adoption of physical standards and specifications that assure suitable durability of the textbooks, instructional materials and supplemental materials:
- (3) The review of programs bid against the curriculum standards approved by the state board of education:
- (4) The establishment of contracts that guarantee the availability of adopted programs to all LEAs at the lowest price;
- (5) The authority, responsibility and duties of the commission, which shall include a review of the statutes and rules that govern the commission and the textbook and instructional materials review process;
- (6) The time frame for the textbook and instructional materials review process:
- (7) The process of appointing members to the advisory panels and expectations of the members of the panels;
- (8) The First Amendment to the United States Constitution as it applies to the textbook and instructional materials adoption process;
- (9) The goals of the textbook and instructional materials book review process. No textbook or any instructional materials shall be approved by the commission for adoption by LEAs unless the textbook or instructional materials:
 - (A) Conform to the standards for its subject area or grade level;
 - (B) Are free of any clear, substantive, factual or grammatical error; and
 - (C) Comply with and reflect the values expressed in § 49-6-1028(b), if the textbook or instructional materials are being considered for adoption as a textbook or instructional materials for education of students in United States history and this nation's republican form of government.

(k)

- (1) No member of the commission shall receive any gift, reward, present or emolument from any author, publisher or distributor of a textbook or textbooks or instructional materials, except copies of textbooks and instructional materials offered for listing and adoption.
- (2) No member or employee of the commission shall accept any employment as agent, attorney, subagent, employee or representative of any author, publisher or distributor of textbooks or instructional materials during the person's term of service on the commission, nor within twelve (12) months after the expiration of the person's term of office.

(3)

- (A) No author, publisher, agent, attorney, employee or representative of any author, publisher or distributor shall give any present, reward, gift or emolument to any member of the commission nor make any offer of employment to a member of the commission during the member's term of service whereby the member is to become the agent, employee, attorney or representative of the author or publisher.
- (B) Any contract, expressed or implied, made by any person, firm, or corporation in violation of subdivision (k)(3)(A) is declared to be illegal and void and no recovery thereon shall be had.
- (4) A commission member who knowingly violates subdivision (k)(1) or (2) may be subject to criminal prosecution pursuant to applicable criminal statutes.
- (I) Members of the commission shall not be compensated for their services but may be reimbursed for travel expenses in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(m)

(1) Eight (8) members of the commission shall constitute a **quorum** for the purpose of meeting and conducting business.

- (2) No action of the commission shall be valid unless authorized by the affirmative vote of a majority of the members of the commission.
- (3) The commission shall have two (2) regular meetings each school year to be held on the dates determined and announced by the commission. Notice of each regular meeting of the commission shall be posted on the department's web site within three (3) full business days of the setting of the meeting dates.
- (4) The commission may have as many special meetings as it deems necessary; provided, that in no case shall any member or members of this commission receive traveling expenses for more than three (3) special meetings in one (1) school year.
- (5) Public notice of the call for the special meetings shall be made by the secretary of the commission at least ten (10) business days in advance of the date set for the special meeting and shall be posted within one (1) full business day of the call.
- (6) All meetings shall be held in the office of the commissioner of education or at such place as designated by the commission.
- (7) Meetings of the commission shall be made available for viewing by the public over the Internet by streaming video accessible from the web site of the department of education. Archived videos of the commission's meetings shall also be available to the public through the department's web site.

(n)

(1)

- (A) The commission, through its chair, may recruit and appoint an advisory panel of expert teachers and other experts in each subject area or grade level to advise the commission on textbook and instructional material selections.
- (B) At least one (1) teacher shall be appointed to each advisory panel. Teachers appointed to the advisory panels shall possess a license to teach with an endorsement in the subject area or grade level for which they shall review textbooks or instructional materials.

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- (C) Experts, who are not public school teachers, may include college professors and credentialed subject matter specialists.
- (D) All members of advisory panels shall have a specific knowledge of and expertise in the content of the subject matter contained in the textbooks or instructional materials they review.
- (2) The department of education shall assist the commission by providing mandatory training to members of advisory panels on the review process and the completion of their assigned tasks. The mandatory training shall include:
 - (A) The requirements for performing a thorough review of all textbooks or instructional materials assigned to a member for review. The review shall include an examination as to whether the textbooks or instructional materials:
 - (i) Conform to the standards for their subject areas or grade levels;
 - (ii) Are free of any clear, substantive, factual or grammatical errors; and
 - (iii) Comply with and reflect the values expressed in § 49-6-1028(b), if the textbook or instructional materials are being considered for adoption as a textbook or instructional materials for education of students in United States history and this nation's republican form of government;
 - (B) The use of any forms developed by the commission for making a review; and
 - (C) The time frame for completing their tasks.
- (3) The advisory panelists shall individually make their recommendations and shall not be convened except upon the call of the chair of the commission. If convened, the panelists may be reimbursed from funds available to the commission for travel expenses in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

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- (4) The names of the reviewers, their positions, employers and the panels on which they serve shall be identified on the department's web site. The reviews of the members of an advisory panel shall be posted on the department's web site without any information that would identify the reviewers.
- (5) Each textbook or any instructional materials proposed for approval shall be reviewed by multiple members of the panel.
- (6) Before issuing a recommendation on a textbook or on instructional materials, each advisory panelist shall review the public comments on the textbook or instructional materials posted on department's web site, pursuant to § 49-6-2203(d)(4). Each advisory panelist shall consider the public comments in making the panelist's recommendation.
- The commission shall evaluate all reviews submitted by the members of the advisory panel for each textbook or any instructional materials proposed for approval. The commission shall also review the public comments posted on the department's web site, pursuant to § 49-6-2203(d)(4). If the reviews by the members of the advisory panel for a specific textbook or instructional materials do not lead to a clear recommendation as to the approval or rejection of the textbook or instructional materials or if the commission finds that the public comments indicate that further review of a textbook or any instructional materials is called for, then the commission shall conduct a public hearing as to whether the textbook or instructional materials should be approved. Notice of the public hearing shall be prominently posted on the home page of the department's web site at least thirty (30) days prior to the meeting of the commission at which the textbook or instructional materials are to be considered.
- (8) The commission is authorized to promulgate rules and regulations for the recruitment and appointment of members to the advisory panels and the process by which the members review their assigned texts.
- SECTION 4. Tennessee Code Annotated, Section 49-6-2202, is amended by redesignating subsection (d) as subsection (e) and by deleting subsections (a), (b) and (c) in their entireties and substituting instead:
 - (a) It is the duty of the commission to prepare a list of standard editions of textbooks and instructional materials for approval by the state board of education for use in the public schools of the state. The

commission shall prepare a list of at least four (4) books or sets of instructional materials in each subject and grade for which textbooks or instructional materials are to be adopted, if four (4) or more textbooks or sets of instructional materials in that subject or grade are available and of sufficient merit to warrant being listed. The list shall be published in accordance with the rules, regulations, policies and procedures of the state publications committee. The proposed textbook and instructional materials list shall also be posted on the web site of the department of education.

(b)

- (1) The commission has the authority to recommend to the state board of education which textbooks and instructional materials may be added to the list for adoption.
- (2) The commission shall only recommend textbooks and instructional materials that reflect the values of the citizens of this state as manifested in the United States Constitution, the Constitution of Tennessee and other foundational documents of this nation's republican form of government.
- (3) In recommending textbooks and instructional materials for use in social studies, Tennessee history, American history or any related subject, the commission shall strive to recommend textbooks and instructional materials that accurately and comprehensively portray the full range of diversity and achievement of racial and ethnic minorities as well as the role and importance of religion in history.
- (c) A publisher submitting a textbook or instructional materials for possible approval shall execute an agreement:
 - (1) Ensuring the book's or the materials' accuracy;
 - (2) Certifying that the textbook or the instructional materials have been thoroughly examined and reviewed by qualified content experts for factual accuracy. The publisher shall also list the professional credentials for at least three (3) content review experts who have thoroughly examined the textbook or instructional materials for content accuracy;
 - (3) Certifying that the textbook or instructional materials have been thoroughly examined and reviewed by qualified editors for typographical errors and errors in grammar, written expression, spelling, formatting and other substantive elements that may affect student learning; and
 - (4) Agreeing to correct all factual and editing errors found in a textbook or instructional materials, at the publisher's expense.

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The publisher shall submit a corrective action plan to the department, for review and approval by the state board, within thirty (30) days of the department's notification of the existence of errors in the textbook or instructional materials.

- (d) The commission shall not proceed with undue haste to accomplish the work of the commission, but, with the assistance of the state board and the department, shall establish appropriate deadlines for the review of textbooks and instructional materials by advisory panels and for its own review of textbooks and instructional materials. Upon the appropriate approval of the state board, the commission shall publish the list of textbooks and instructional materials that may be adopted by local boards of education for use in the schools of this state. The list shall contain the title of the textbooks and instructional materials listed for adoption, the names of the publishers and the prices at which the books and materials are available, as provided for in this chapter.
- SECTION 5. Tennessee Code Annotated, Section 49-6-2203(d), is amended by deleting the subsection in its entirety and substituting instead the following:
 - (1) Copies of all textbooks and instructional materials bid shall be filed with the secretary of the commission on or before a date specified by the commission, but no later than the date of the start of the review by the advisory panels. A publisher shall not submit draft copies of textbooks, instructional materials or other supplemental materials. All textbooks, instructional materials and accompanying manuals, workbooks and other supplemental materials shall be submitted in finished form no later than the start of the review period. If a complete copy of any textbooks, instructional materials or any of their supplemental materials is not filed prior to the date specified by the commission, then the textbook or instructional materials shall not be considered for adoption. The textbooks and instructional materials shall be accompanied by a list stating the edition, title and author of each textbook or any instructional materials offered.
 - (2) No textbook or instructional materials shall be listed for adoption unless they have been filed as provided in subdivision (d)(1). Textbooks and instructional materials listed for adoption shall be retained by the commissioner for the period of the adoption.
 - (3) In addition to the finished textbooks and instructional materials required to be filed with the secretary of the commission, publishers shall make all textbooks and instructional materials proposed for adoption available for inspection online by LEAs and the public. The online inspection shall allow inspection of both the textbook or instructional materials and all accompanying manuals, workbooks and other supplemental materials. The commission shall require that a publisher in its bid document agree to provide complete online copies of the textbooks or instructional materials bid during the review process by the advisory

panels, but in no case shall the textbooks or instructional materials be available for less than ninety (90) days.

- (4) The department shall develop a procedure by which members of the public may comment on the books proposed for adoption. Comments shall be accepted by regular mail, email or in another electronic format as determined by the department. Public comments received by the department shall be posted on the department's web site; provided, that any comment posted shall pertain only to the review of a textbook or any instructional materials being proposed for adoption. The department shall distribute the public comments on a textbook or any instructional materials to the advisory panelists prior to the making of their recommendations on the textbook or instructional materials and to the commission before its approval of the textbook or instructional materials for inclusion on the textbook list.
- SECTION 6. Tennessee Code Annotated, Section 49-6-2207(b)(2), is amended by deleting the subdivision in its entirety.
- SECTION 7. Tennessee Code Annotated, Section 49-6-2207(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c)

- (1) Local boards of education shall appoint review committees to review the textbooks and instructional materials proposed for adoption and shall make their adoption upon recommendations of such committees. These committees shall be set up by grade and subject matter fields and composed of teachers, or supervisors and teachers, and parents with children enrolled in the LEA at the time of appointment to a committee. The local board may also appoint experts in the grade level or subject matter field for which textbooks and instructional materials are to be reviewed. Experts may be college professors or credentialed subject matter specialists. The board shall determine the number of members of the committee based upon the relative size of the LEA.
- (2) Teachers and supervisors who serve on a committee shall be teaching or supervising the respective grade or subject at the time of appointment. Committees shall be composed by grade or groups of grades arranged so that a committee may consider an entire series of books if it should so desire; provided, that in all cases, the teachers and supervisors appointed to the committees shall be licensed to teach in the state with endorsements in the subject matter or grade level for which textbooks or instructional materials are being reviewed. Teachers and supervisors shall have three (3) or more years of experience as teachers or supervisors in the public schools.

- (3) The members of the committee authorized in this section shall serve for the length of time that the adoption process for which they are appointed lasts.
- SECTION 8. Tennessee Code Annotated, Section 49-6-2207(e), is amended by deleting the subsection in its entirety and substituting instead the following:
 - (e) The director of schools in the LEA adopting textbooks or instructional materials under this part shall serve as an ex officio member of all committees appointed under subsection (c). The director of schools shall record a list of all textbooks or instructional materials adopted by the local board of education. Immediately, at the completion of the adoption process, the director shall forward a copy of the recorded adoption to the commissioner of education and shall post on the LEA's web site the list of all books adopted.
- SECTION 9. Tennessee Code Annotated, Section 49-6-2203(j), is amended by deleting the subsection in its entirety and substituting instead the following:
 - (j) The contractor shall file with the contract a good and sufficient bond with a surety company authorized to do business in this state in the sum to be determined by the commission but no less than two thousand dollars (\$2,000) nor more than ten thousand dollars (\$10,000) and conditioned upon the faithful performance of all conditions of the contract and this part.
- SECTION 10. Tennessee Code Annotated, Section 49-6-2203(a), is amended by deleting the word "textbooks" wherever it appears and substituting instead the words "textbooks and instructional materials".
- SECTION 11. Tennessee Code Annotated, Section 49-6-2203(e), is amended by deleting the word "textbooks" and substituting instead the words "textbooks and instructional materials".
- SECTION 12. Tennessee Code Annotated, Section 49-6-2203(g), is amended by deleting the word "textbooks" wherever it appears and substituting instead the words "textbooks and instructional materials".
- SECTION 13. Tennessee Code Annotated, Section 49-6-2204, is amended by deleting the word "textbooks" and substituting instead "textbooks and instructional materials".
- SECTION 14. Tennessee Code Annotated, Section 49-6-2205, is amended by deleting the word "textbooks" and substituting instead the words "textbooks and instructional materials" and by deleting the words "state textbook commission" and substituting instead the words "state textbook and instructional materials quality commission".

- SECTION 15. Tennessee Code Annotated, Section 49-6-2206, is amended by deleting the word "textbooks" wherever it appears and substituting instead the words "textbooks and instructional materials".
- SECTION 16. Tennessee Code Annotated, Section 49-6-2207(a)(1), is amended by deleting the word "textbooks" wherever it appears and substituting instead the words "textbooks and instructional materials".
- SECTION 17. Tennessee Code Annotated, Section 49-6-2207(a)(2), is amended by deleting the word "textbook" and substituting instead the words "textbook or instructional materials".
- SECTION 18. Tennessee Code Annotated, Section 49-6-2207(b)(1), is amended by deleting the word "textbooks" and substituting instead the words "textbooks and instructional materials".
- SECTION 19. Tennessee Code Annotated, Section 49-6-2207(f), is amended by deleting the word "textbooks" wherever it appears and substituting instead the words "textbooks and instructional materials".
- SECTION 20. Tennessee Code Annotated, Section 49-6-2208, is amended by deleting the word "textbooks" and substituting instead the words "textbooks and instructional materials" and by deleting the word "textbook" and substituting instead the words "textbook and instructional materials".
- SECTION 21. Tennessee Code Annotated, Section 49-6-2211, is amended by deleting the word "textbook" wherever it appears and substituting instead the words "textbook or instructional materials".
- SECTION 22. Tennessee Code Annotated, Section 49-1-302(a)(4)(A), is amended by deleting the word "textbooks" and substituting instead the words "textbooks and instructional materials".
- SECTION 23. Tennessee Code Annotated, Section 49-1-302(a)(9), is amended by deleting the words "state textbook commission" and substituting instead the words "state textbook and instructional materials quality commission".
- SECTION 24. Tennessee Code Annotated, Section 49-1-608, is amended by deleting the word "textbooks" and substituting instead the words "textbooks and instructional materials".
- SECTION 25. Tennessee Code Annotated, Section 49-3-310(1)(A), is amended by deleting the words "textbooks and kindergarten materials" wherever they appear and substituting instead the words "textbooks, instructional materials and kindergarten materials"; by deleting the words "furnish the textbooks" and substituting instead the words "furnish the textbooks and instructional materials"; by deleting the words "all required textbooks" and substituting instead the words "all required textbooks and instructional materials"; and by deleting the words "state textbook commission" and substituting instead the words "state textbook and instructional materials quality commission".

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SECTION 26. Tennessee Code Annotated, Section 49-3-310(1)(B), is amended by deleting the words "All textbooks purchased" and substituting instead the words "All textbooks and instructional materials purchased"; by deleting the words "its textbooks" and substituting instead the words "its textbooks and instructional materials"; by deleting the words "damaged textbook" and substituting instead the words "damaged textbook and instructional materials"; by deleting the words "additional textbooks" and substituting instead the words "additional textbooks and instruction materials"; and by deleting the words "textbook is prescribed" wherever they appear and substituting instead the words "textbook and instructional materials are prescribed".

SECTION 27. Tennessee Code Annotated, Section 49-3-310(1)(C), is amended by deleting the words "any textbook" and substituting instead the words "any textbook or instructional materials"; by deleting the words "defaces the textbook" and substituting instead the words "defaces the textbook or instructional materials; and by deleting the word "purchasing textbooks" and substituting instead the words "purchasing textbooks and instructional materials".

SECTION 28. Tennessee Code Annotated, Section 49-3-310(2), is amended by deleting the word "textbook" and substituting instead the words "textbook and instructional materials" and by deleting the word "means" and substituting instead the word "mean".

SECTION 29. Tennessee Code Annotated, Section 49-6-1013, is amended by deleting the word "textbooks" wherever it appears and substituting instead the words "textbooks or instructional materials".

SECTION 30. Tennessee Code Annotated, Section 49-6-1026, is further amended by deleting the word "textbooks" wherever it appears and substituting instead the words "textbooks and instructional materials"; by deleting the words "and textbook" and substituting instead the language ", textbook and instructional materials"; and by deleting the words "an associated textbook" and substituting instead the words "an associated textbook or instructional materials".

SECTION 31. This act shall take effect January 1, 2015, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. H. Brooks moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1602 by deleting subdivision (b)(2) of the amendatory language of Section 4 in its entirety and substituting instead:

(2) The commission shall only recommend textbooks and instructional materials that comply with and reflect the values expressed in § 49-6-1028(b), if the textbook or instructional materials are being considered for adoption as a

textbook or instructional materials for education of students in United States history and this nation's republican form of government.

On motion, Amendment No. 2 was adopted.

Rep. H. Brooks moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1602 by deleting the language "state textbook commission" in § 49-6-2201(a)(1) in the amendatory language of Section 3 and substituting instead the language "state textbook and instructional materials quality commission".

On motion, Amendment No. 3 was adopted.

Rep. Casada moved that **Senate Bill No. 1602**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	73
Noes	

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pitts, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 73

Representatives voting no were: Armstrong, Cooper, Favors, Fitzhugh, Gilmore, Jernigan, Jones, Love, Miller, Mitchell, Odom, Parkinson, Stewart, Turner J, Turner M -- 15

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "no" on the **Senate Bill No. 1602** and have this statement entered in the Journal: Rep(s). Hardaway and G. Johnson.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on the **Senate Bill No. 1602** and have this statement entered in the Journal: Rep(s). Van Huss.

REGULAR CALENDAR, CONTINUED

*House Bill No. 2257 -- Health Care - As introduced, requires hospitals to report claims data on inpatient and outpatient discharges to the commissioner of health on a monthly basis, instead of quarterly. - Amends TCA Title 56 and Title 68. by *McManus, *Fitzhugh. (SB2538 by *Tracy, *Overbey, *Beavers, *Bell, *Bowling, *Burks, *Campfield, *Crowe, *Dickerson, *Finney, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Henry, *Hensley, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Southerland, *Stevens, *Summerville, *Tate, *Watson, *Yager, *Ramsey)

On motion, House Bill No. 2257 was made to conform with **Senate Bill No. 2538**; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that Senate Bill No. 2538 be passed on third and final consideration.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved that **Senate Bill No. 2538** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, White D, White M, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 84

Representatives voting no were: Casada, Forgety -- 2

A motion to reconsider was tabled.

House Bill No. 2326 -- Sexual Offenses - As introduced, increases the penalty for patronizing a prostitute under age 18 from a Class E felony to a Class A felony; increases the penalty for patronizing a prostitute with an intellectual disability from a Class E felony to a Class B felony; specifies that it is not a defense that the subject of the offense is a law enforcement officer or that the victim of the offense is a minor who consented to the offense. - Amends TCA

4142

Title 39, Chapter 13 and Title 39, Chapter 17. by *Coley, *Moody. (*SB1815 by *Overbey, *Ketron, *Crowe, *Kelsey, *Burks)

On motion, House Bill No. 2326 was made to conform with **Senate Bill No. 1815**; the Senate Bill was substituted for the House Bill.

Rep. Coley moved that **Senate Bill No. 1815** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell --91

A motion to reconsider was tabled.

*House Bill No. 2372 -- Criminal Procedure - As introduced, requires a person applying for expunction of criminal records to pay the appropriate court clerk's fee, in addition to any other fees required unless the person is entitled to have such records removed and destroyed without cost. - Amends TCA Section 8-21-401 and Title 40. by *Camper, *Parkinson. (SB2504 by *Tate, *Harper)

On motion, House Bill No. 2372 was made to conform with **Senate Bill No. 2504**; the Senate Bill was substituted for the House Bill.

Rep. Camper moved that Senate Bill No. 2504 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2504 by deleting the language "pursuant to subsections (d), (e) or (f)" in its entirety.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Camper moved that **Senate Bill No. 2504**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

4143

Ayes	57
Noes	
Present and not voting	

Representatives voting aye were: Akbari, Alexander, Armstrong, Brooks H, Camper, Carter, Dean, Dennis, Dunn, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Lamberth, Lollar, Love, Lundberg, Marsh, Matheny, McDaniel, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Ramsey, Rich, Rogers, Sargent, Shaw, Shepard, Shipley, Sparks, Stewart, Tidwell, Towns, Turner J, Turner M, Van Huss, Williams K, Madam Speaker Harwell -- 57

Representatives voting no were: Bailey, Brooks K, Butt, Calfee, Carr J, Casada, Coley, Cooper, DeBerry J, Doss, Eldridge, Evans, Hall, Haynes, Holt, Kane, Keisling, Littleton, Lynn, Matlock, Moody, Powers, Sanderson, Sexton, Spivey, Swann, Travis, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick -- 34

Representatives present and not voting were: Todd -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "no" to "aye" on the **Senate Bill No. 2504** and have this statement entered in the Journal: Rep(s). Cooper.

REGULAR CALENDAR, CONTINUED

House Bill No. 2449 -- Human Rights Commission - As introduced, renames the commission the "Tennessee affirmative action commission"; restructures the commission by granting the senate and house speakers the authority to appoint members to the commission equal in number to the governor, whereas present law authorizes the governor to appoint all members to the commission. - Amends TCA Title 4; Title 8, Chapter 50 and Title 68, Chapter 1. by *Matlock, *Rich. (*SB2054 by *Bell, *Gardenhire, *Summerville)

On motion, House Bill No. 2449 was made to conform with **Senate Bill No. 2054**; the Senate Bill was substituted for the House Bill.

Rep. Matlock moved that Senate Bill No. 2054 be passed on third and final consideration.

Rep. Haynes moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2054 by deleting all language after the enacting clause and substituting instead the following:

4144

SECTION 1. Tennessee Code Annotated, Section 4-21-201, is amended by deleting the section in its entirety and by substituting instead the following:

4-21-201.

(a) There is hereby created the Tennessee human rights commission.

(b)

- (1) The commission shall consist of nine (9) members to be appointed as follows:
 - (A) The speaker of the senate shall appoint two (2) members;
 - (B) The speaker of the house of representatives shall appoint two (2) members; and
 - (C) The governor shall appoint five (5) members.
- (2) Three (3) members of the commission shall reside in each grand division of the state.
- (3) The appointing authorities shall consult with each other prior to appointing any member to the commission to ensure that appointments are made in accordance with this subsection (b).

(c)

- (1) The entire membership of the commission as comprised on June 30, 2014, shall be vacated on July 1, 2014, and new members shall be appointed in accordance with subsection (b).
- (2) In order to stagger the terms of the newly appointed commission members, initial appointments shall be made as follows:
 - (A) Each of the appointing authorities shall make one (1) initial appointment for a term of two (2) years, which shall expire on June 30, 2016;
 - (B) The governor shall make three (3) initial appointments for terms of four (4) years, which shall expire on June 30, 2018; and

(C) Each of the appointing authorities shall make one (1) initial appointment for a term of six (6) years, which shall expire on June 30, 2020.

(d)

- (1) Following the expiration of members' initial terms as prescribed in subdivision (c)(2), all appointments to the commission shall be for terms of six (6) years and shall begin on July 1 and terminate on June 30, six (6) years thereafter.
- (2) All members shall serve until the expiration of the term to which they were appointed and until their successors are appointed and qualified.
- (3) A vacancy occurring other than by expiration of a term shall be filled in the same manner as the original appointment but for the unexpired term only.
- (4) Successors shall be appointed from the same grand divisions of the state in which the members they are replacing reside.
- (5) Members shall be eligible for reappointment to the commission following the expiration of their terms, but shall serve no more than two (2) consecutive six-year terms.
- (e) The commission shall designate one (1) of its members to serve as chair for a two-year term. The chair may be reappointed to serve for one (1) additional term. No member may serve as chair for more than two (2) consecutive terms.
- (f) The members shall be appointed on a nonpartisan basis and shall be broadly representative of employees, proprietors, trade unions, religious groups, human rights' groups and the general public.
- (g) The members are entitled to reimbursement for expenses incurred in the performance of their duties and to reasonable fees for each day of service as hearing examiners.
- (h) A commissioner who is absent from more than three (3) regularly scheduled meetings in the course of the commission's fiscal year may be removed from the commission by the respective appointing authority.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

Rep. Holt moved the previous question, which motion prevailed.

On motion, State Government Committee Amendment No. 1 was adopted.

- Rep. M. Turner moved that Amendment No. 2 be withdrawn, which motion prevailed.
- Rep. M. Hill moved the previous question, which motion prevailed.

Rep. Matlock moved that **Senate Bill No. 2054**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes68	3
Noes22)

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pitts, Pody, Powers, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D, White M, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 68

Representatives voting no were: Armstrong, Camper, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Johnson G, Jones, Miller, Mitchell, Odom, Parkinson, Powell, Shaw, Stewart, Tidwell, Towns, Turner J, Turner M, Williams K, Windle -- 22

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Armstrong voted "no" on **Senate Bill No. 2054**.

REGULAR CALENDAR, CONTINUED

*House Joint Resolution No. 551 -- General Assembly, Directed Studies - Directs the department of education to conduct another stakeholder survey that permits stakeholders to express their honest and frank opinions about the Teacher Educator Acceleration Model (TEAM) and to suggest additional changes and refinements to TEAM to improve the evaluation model. by *Forgety, *Marsh, *Lollar, *Womick, *White M, *White D, *Brooks H, *Kane, *Moody, *Johnson G, *Casada, *Evans.

- Rep. Forgety moved adoption of House Joint Resolution No. 551.
- Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

4147

Amendment No. 1

AMEND House Joint Resolution No. 551 by deleting the language "February 2, 2015" in the fourth resolving clause and by substituting instead the language "April 15, 2015".

AND FURTHER AMEND by deleting the language "April 1, 2015" in the fourth resolving clause and by substituting instead the language "July 15, 2015".

AND FURTHER AMEND by adding the following language before the last resolving clause:

BE IT FURTHER RESOLVED, that the Tennessee Department of Education is hereby directed to work in collaboration with the Tennessee Organization of School Superintendents to ensure adequate time for LEAs to review and correct, prior to final public release, both testing and demographic data for the purpose of LEA accountability and the state report card. Such collaboration shall include discussion relative to ensuring any proposed corrections are valid and necessary to ensure accuracy.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Joint Resolution No. 551 By deleting the second preamble clause and by substituting instead the following:

WHEREAS, after implementation of TEAM in the 2011-2012 school year, in fulfillment of its commitment to allow stakeholders multiple opportunities to provide feedback on TEAM and at the direction of HJR 520 adopted by the One Hundred Seventh General Assembly, the department conducted a survey of stakeholders; and

AND FURTHER AMEND by deleting the first resolving clause and by substituting instead the following:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that the Tennessee Department of Education is hereby directed to conduct a survey of the same types of stakeholders as the department surveyed at the direction of HJR 520 adopted by the One Hundred Seventh General Assembly.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

4148

Rep. Forgety moved adoption of **House Joint Resolution No. 551**, as amended, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

*House Joint Resolution No. 593 -- General Assembly, Studies - Creates a special committee to study the development of a pilot program to assist former law enforcement personnel. by *Hardaway, *Shaw, *Dean, *Todd, *Rich, *Watson, *Ramsey.

Rep. Hardaway moved adoption of House Joint Resolution No. 593.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 593 by deleting all language after the caption and by substituting instead the following:

WHEREAS, law enforcement officers must face the rigors of human conflict daily to bravely protect those whom they so selflessly serve; and

WHEREAS, a number of these officers are disabled and maimed in the line of duty, and others suffer physical impairments and other disorders caused by the hazards of their professional calling; and

WHEREAS, each year a significant number of these courageous officers lose their lives while protecting their fellow citizens; and

WHEREAS, it is fitting and proper that officers who have dedicated their career to the service and protection of our citizens be afforded ample services and opportunities upon the completion of their law enforcement career; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE

4149

SENATE CONCURRING, that the department of safety is hereby urged to conduct a study on the establishment of a pilot program to offer comprehensive programs designed to provide resources to former law enforcement personnel and to help them achieve their educational and career goals. In conducting its study, the department of safety shall consult with the department of veteran affairs, the department of health, the department of intellectual and developmental disabilities, the department of labor and workforce development, the department of human services, and any other agency the department of safety deems necessary.

BE IT FURTHER RESOLVED, that the study will concentrate on health care, education, rehabilitation services, housing, disability benefits, access to to court programs that assess specific needs, such as veterans court, and occupational preparation, including, school-based training, community-based training, employment, and vocational training.

BE IT FURTHER RESOLVED, that in conducting its study, the department shall also review information from a variety of sources, including, input from stakeholders, such as state and local law enforcement officials, family members, and advocates.

BE IT FURTHER RESOLVED, that the department shall report its findings and recommendations, including any proposed legislation, to the judiciary committee of the senate and the criminal justice committee of the house of representatives by February 8, 2015.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Hardaway moved adoption of **House Joint Resolution No. 593**, as amended, which motion prevailed by the following vote:

Ayes	90
Noes	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 90

Representatives voting no were: Carr J, Womick -- 2

A motion to reconsider was tabled.

House Bill No. 788 -- Sunset Laws - As introduced, extends the drycleaner environmental response board, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 217. by *Matheny, *Ragan. (*SB332 by *Bell)

4150

On motion, House Bill No. 788 was made to conform with **Senate Bill No. 332**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that Senate Bill No. 332 be passed on third and final consideration.

Rep. Casada moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Casada moved adoption of Government Operations Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 332 In Section 9 of the bill as amended by the Amendment with drafting code # 015751, by deleting the word "harm" in subsection (b) and substituting instead the word "threat", deleting subsection (c) in its entirety, and redesignating the remaining subsection accordingly.

On motion, Government Operations Committee Amendment No. 2 was adopted.

Rep. Matheny moved that **Senate Bill No. 332**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Casada, Coley, Cooper, Dean, DeBerry J, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner M, Van Huss, Weaver, White D, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

House Bill No. 1279 -- Professions and Occupations - As introduced, creates the Tennessee behavior analyst licensing board. - Amends TCA Title 4 and Title 63. by *White M, *Brooks K, *Odom, *Eldridge, *McManus, *Durham, *Fitzhugh, *Casada, *Jernigan, *McDaniel, *Sexton, *Williams R. (*SB1047 by *Kelsey)

On motion, House Bill No. 1279 was made to conform with **Senate Bill No. 1047**; the Senate Bill was substituted for the House Bill.

4151

Rep. M. White moved that Senate Bill No. 1047 be passed on third and final consideration.

Rep. Matheny moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. M. White moved that **Senate Bill No. 1047** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, Moody, Odom, Parkinson, Pody, Powell, Powers, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 88

A motion to reconsider was tabled.

*House Bill No. 2076 -- Education - As introduced, requires the state board of education to report on the use of the scholarship fund for deaf students graduating from the Tennessee school for the deaf and the amount of moneys in the fund and expended for scholarships by November 1, 2014, with an update of the report by November 1 every year thereafter. - Amends TCA Title 49. by *White M, *Forgety, *Camper, *Carter, *Fitzhugh, *Brooks H, *Parkinson. (SB2355 by *Gresham, *Kelsey)

Rep. M. White requested that House Bill No. 2076 be moved to the heel of the Calendar, which motion prevailed.

House Bill No. 1679 -- Taxes, Sales - As introduced, under certain circumstances, allocates state tax revenue to a county or industrial development corporation that acquires certain property from the state on or after January 1, 2014. - Amends TCA Title 67, Chapter 6. by *Windle, *McCormick, *Calfee, *Jernigan, *Haynes, *Sanderson, *Keisling. (*SB1708 by *Yager, *Overbey)

On motion, House Bill No. 1679 was made to conform with **Senate Bill No. 1708**; the Senate Bill was substituted for the House Bill.

Rep. Windle moved that Senate Bill No. 1708 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

Amendment No. 1

4152

AMEND Senate Bill No. 1708 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated Title 67, Chapter 6, Part 1, is amended by adding the following language as a new section:

67-6-104.

(a) It is the intent of this section to address rural, economically distressed counties experiencing persistent high unemployment and traditionally low levels of family income by apportioning and distributing sales and use tax revenue to commercial development districts in those counties.

(b) For purposes of this section:

- (1) "Base tax revenues" means the revenues generated, if any, from the collection of state and local sales and use taxes from all businesses within the certified commercial development district as of the end of the fiscal year of the state of Tennessee immediately prior to the year in which the county, municipality, or industrial development corporation is entitled to receive an allocation of tax revenue pursuant to this section;
- (2) "Commercial development district" means one (1) or more parcels of real property located within an eligible county, in which it is reasonably anticipated and projected that state and local sales and use taxes will increase, or be newly generated in the case of a district in which no base tax revenues have been previously generated, as a result of the

development of the real property by an amount in excess of the increases in the collection of state and local sales and use tax revenues reasonably projected to occur within that area without regard to the development of the real property. Prior to December 31, 2014, "commercial development district" shall include the development of an area comprised of property acquired from the state by an eligible county or an industrial development corporation established by such eligible county, which property was used by the state as a correctional facility. On and after December 31, 2014, "commercial development district" may include the development of an area comprised of property acquired from the state by an eligible county or an industrial development corporation established in such eligible county, which property was used by the state as a correctional facility. Each commercial development district shall be certified by the commissioner of finance and administration;

(3) "Eligible county" means:

4153

- (A) Prior to December 31, 2014, a county that meets one (1) or more of the following criteria as of December 31, 2014:
 - (i) Has a per capita income of eighty percent (80%) or less of the national average;
 - (ii) Has an unemployment rate that is, for the most recent twenty-four-month period for which data are available, at least one percent (1%) greater than the national average unemployment rate, or, for the most recent twelve-month period for which data are available, at least two percent (2%) greater than the state average unemployment rate;
 - (iii) Has experienced, or is about to experience, a special need arising from actual or threatened severe unemployment or economic adjustment problems resulting from severe short-term or long-term changes in economic conditions, as determined by the commissioner of finance and administration, the commissioner of economic and community development, and the commissioner of revenue; or
 - (iv) Has an area comprised of property acquired from the state by an eligible county or an industrial development corporation established in such eligible county, which property was used by the state as a correctional facility; or
- (B) On and after December 31, 2014, a distressed rural county that will be identified using a consistent methodology based on a set of broadly available measures of economic wellbeing that could include county unemployment rate, rate of job growth, personal income per capita, property tax base per capita, percent high school graduates, and percent below poverty. Using this consistent methodology, the commissioner of finance and administration, the commissioner of economic and community development, and the commissioner of revenue shall determine which counties are eligible counties and shall publish a list of the eligible counties meeting the criteria in this subdivision (b)(3)(B) by July 1 of each year;
- (4) "Proprietary information" means commercial or financial information that is used either directly or indirectly in the business of any person submitting information to the commissioner under this section, and that gives such person an

advantage or an opportunity to obtain an advantage over competitors who do not know or use such information; and

- (5) "Trade secrets" means any materials or processes used directly or indirectly in the business of a person or entity submitting information or documentation related to such materials or processes to the commissioner under this section, and that give the person or entity an advantage or an opportunity to obtain an advantage over competitors who do not know or use them.
- (c) In order to receive an allocation of sales and use tax revenues under this section, an eligible county or a municipality located within the eligible county, or an industrial development corporation established by such eligible county or municipality, must submit a completed application to the commissioner of finance and administration together with an application fee in an amount established by the department of finance and administration. The application shall be developed by the department of finance and administration.
- (d) The application shall include, but not be limited to, the following information:
 - (1) A list of tax parcels composing the proposed commercial development district, including owners and parcel numbers, from which the sales and use tax revenues will be generated;
 - (2) A map, survey or drawing clearly identifying the boundaries of the proposed commercial development district area;
 - (3) Written confirmation of the current zoning of the proposed commercial development district;
 - (4) A description of the financing for the project to be located within the proposed commercial development district;
 - (5) The number of jobs that the applicant estimates will be created in the proposed commercial development district and the wages, salaries and other compensation that will be paid to those persons holding the jobs;
 - (6) The estimated development and construction costs of the project to be located in the proposed commercial development district:
 - (7) A certification from the county that it complied with the criteria required to be eligible;

- (8) A resolution or other official action from the governing body of the eligible county requesting consideration of the application and approval of the proposed commercial development district and acknowledging that an increment of sales and use taxes from future activities within the commercial development district will be applied as payments on the indebtedness financing the commercial development district;
- (9) If the commercial development district is located in a municipality within an eligible county, a resolution or other official action by the governing body of the municipality requesting consideration of the application and approval of the proposed commercial development district and acknowledging that an increment of sales and use taxes from future activities within the commercial development district will be applied as payments on the indebtedness financing the commercial development district;
- (10) An affidavit, on a form provided by the department of finance and administration, signed by the applicant certifying that the proposed commercial development district cannot proceed without the availability of financing under this section along with supporting documentation establishing the need for and the amount of the financing; and
- (11) Such financial and other information as may be necessary for the commissioner of finance and administration to evaluate the application.
- (e) No action shall be taken with respect to an application until the commissioner of finance and administration determines that the commissioner has received all information that may be relevant or necessary in determining the qualifications of the applicant and the proposed commercial development district.
- (f) Each commercial development district shall be certified by the commissioner of finance and administration. Once the commissioner of finance and administration has received all of the information required by subsection (d), the commissioner may certify, in the commissioner's discretion, the proposed commercial development district as a commercial development district. Each commercial development district shall include at least five million dollars (\$5,000,000) in planned capital improvements. Prior to certifying the commercial development district, the commissioner must determine that the commercial development district is not economically feasible without the tax revenue allocation contemplated in this section. In evaluating the information submitted with the application the commissioner may consider normal underwriting criteria such as debt capacity, ability to repay, equity and other capital at risk for the project, and the proposed terms of the contemplated indebtedness.

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(g)

- (1) Notwithstanding the allocations provided for in § 67-6-103(a), if real property located in an eligible county is acquired and developed as a commercial development district, and is certified by the commissioner of finance and administration as a commercial development district, then an amount shall be apportioned and distributed to the county, the municipality, or the industrial development corporation equal to the amount of state sales tax revenue derived from five and one-half percent (5.5%) of the tax rate imposed pursuant to § 67-6-202 on all sales in the commercial development district and the amount of local sales tax revenue not dedicated for school purposes pursuant to § 67-6-712(a)(1) derived from all sales in the commercial development district in excess of base tax revenues; provided, that an apportionment and distribution of such amount is authorized under this section for any commercial development district in which no sales and use taxes have been generated for at least five (5) years prior to the apportionment and distribution. Such amount distributed shall be for the exclusive use of the county. municipality or industrial development corporation and shall be used solely for the purpose of paying the indebtedness, principal and interest, and closing costs incurred by the county, municipality or industrial development corporation in financing the commercial development district. For eligible counties as defined in subdivision (b)(3)(A), the period for such distributions shall be twenty (20) years. For eligible counties as defined in subdivision (b)(3)(B), the commissioner of finance and administration shall determine the period in which distributions will be necessary to provide the financing hereunder, and the period for such distributions shall not exceed twenty (20) years. The distributions shall cease upon the expiration of the applicable distribution period or upon satisfaction of the financing of the commercial development district, whichever occurs first. Following the expiration of the distribution period, all amounts that would have otherwise been distributed to the county, the municipality, or the industrial development corporation shall be allocated as provided elsewhere without regard to this section.
- (2) Notwithstanding any provision of this section to the contrary, no portion of the revenue derived from the increase in the rate of sales and use tax allocated to educational purposes pursuant to Section 9, Chapter 529 of the Public Acts of 1992, and no portion of the revenue derived from the increase in the rate of sales and use tax from six percent (6%) to seven percent (7%) contained in Section 4, Chapter 856 of the Public Acts of 2002, shall be distributed to the eligible county, the municipality or the industrial development corporation for the financing contemplated in this section. The revenue shall continue to be allocated as

provided in Chapter 529 of the Public Acts of 1992, and Chapter 856 of the Public Acts of 2002, respectively.

- (3) If, at the close of any fiscal year, the revenue from the tax is not sufficient to meet the total debt service of the eligible county, the municipality, or the industrial development corporation for indebtedness incurred with respect to the commercial development district, the balance, if any, of the debt service not paid by revenue from the tax at the end of the fiscal year shall be accumulated in a separate deficit account. If the revenue from the tax in any fiscal year exceeds the total of the debt service requirements of the commercial development district for that year, the surplus revenue thus accruing shall be retained by the eligible county, the municipality, or the industrial development corporation as a sinking fund for any future debt service requirements of the commercial development district or, alternatively, to reduce the then outstanding balance of the indebtedness.
- (h) The apportionment and distribution of state sales and use taxes to the county, municipality, or industrial development corporation, as provided in this section shall commence at the beginning of the fiscal year after the certification of the commercial development district. The apportionment and payment shall be made by the department of revenue to the county, municipality or industrial development corporation within ninety (90) days of the end of each fiscal year for which the county, municipality or industrial development corporation is entitled to receive an allocation and payment pursuant to this chapter.
- (i) The fact that an eligible county filed an application with the commissioner of finance and administration, whether an application was approved, the number of jobs created by a commercial development district, and the wages, salaries and other compensation that will be paid to the persons holding those jobs shall be available for public inspection pursuant to title 10, chapter 7. Any financial information, including, but not limited to, proprietary information and trade secrets contained in an application, or submitted with any accompanying documents or information filed with the application pursuant to this section, shall be confidential and shall not be open to the public for inspection, notwithstanding the public records provisions of title 10, chapter 7. Such financial information, proprietary information and trade secrets shall not be disclosed to any person, except that the commissioner of finance and administration is authorized to make the following disclosures:
 - (1) Within the department of finance and administration, the department of revenue, and the department of economic and community development in the course of their official duties; and
 - (2) To the comptroller of the treasury or the comptroller's designee for the purpose of an audit of the department of finance

and administration, the department of revenue, or the department of economic and community development.

- (j) In addition to other powers and duties prescribed by law, the commissioner of finance and administration shall monitor the financing of commercial development districts pursuant to this section, but the transfer of sales and use tax revenues to pay indebtedness shall be vested with the eligible county, the municipality within the eligible county, or the industrial development corporation established by an eligible county or the municipality. The commissioner shall report annually to the finance, ways and means committees of the senate and the house of representatives, and the state and local government committee of the senate and the state government committee of the house of representatives, regarding each allocation of tax revenues pursuant to this section.
- (k) The commissioner of finance and administration is authorized to require an eligible county with a commercial development district to file a report with the department of finance and administration. A report filed by an eligible county may include, but is not limited to, an analysis detailing the progress of the commercial development district, the number of jobs generated by the commercial development district, the wages, salaries and other compensation paid to those holding the jobs, and such additional information as requested by the commissioner of finance and administration.
- (I) The department of finance and administration is authorized to promulgate rules and regulations to effectuate the purposes of this section. Such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.
- (m) The tax revenue allocation available pursuant to this section applies to eligible counties or municipalities located in such eligible counties, or industrial development corporations established by such eligible counties or municipalities, that:

(1)

- (A) In the case of property located in eligible counties as defined in subdivision (b)(3)(A), have filed an application with the commissioner of finance and administration prior to December 31, 2014; or
- (B) In the case of property located in eligible counties as defined in subdivision (b)(3)(B), have filed an application with the commissioner of finance and administration on or after December 31, 2014, and prior to December 31, 2016; and

(2) Have received the approval of a commercial development district from the commissioner of finance and administration on or before June 30, 2017.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Windle moved that **Senate Bill No. 1708**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Jones, Kane, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell --92

A motion to reconsider was tabled.

House Bill No. 1846 -- Education - As introduced, authorizes and encourages the creation of community schools. - Amends TCA Title 49. by *Johnson G, *Jernigan, *Fitzhugh, *Pitts, *Jones, *Cooper, *Stewart. (*SB1924 by *Finney, *Massey)

On motion, House Bill No. 1846 was made to conform with **Senate Bill No. 1924**; the Senate Bill was substituted for the House Bill.

- Rep. G. Johnson moved that Senate Bill No. 1924 be passed on third and final consideration.
- Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Camper moved the previous question, which motion failed by the following vote:

Ayes	36
Noes	48

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Representatives voting aye were: Akbari, Camper, Coley, Doss, Favors, Fitzhugh, Floyd, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Lollar, Love, Lynn, Matlock, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Powell, Ramsey, Shaw, Shepard, Spivey, Stewart, Swann, Tidwell, Turner J, Turner M, Williams K, Windle, Womick -- 36

Representatives voting no were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Cooper, Dean, DeBerry J, Dennis, Eldridge, Evans, Faison, Farmer, Forgety, Goins, Halford, Hall, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Lamberth, Littleton, Lundberg, Marsh, Matheny, McCormick, Pody, Powers, Rich, Rogers, Sanderson, Sexton, Sparks, Todd, Van Huss, White D, White M, Williams R, Wirgau, Madam Speaker Harwell -- 48

After further discussion, Rep. Parkinson moved the previous question, which motion prevailed.

Rep. G. Johnson moved that **Senate Bill No. 1924** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	. 3

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives voting no were: Lollar, Moody, Sanderson -- 3

A motion to reconsider was tabled.

House Bill No. 1887 -- Welfare - As introduced, creates the "Parental Involvement to End Poverty Act"; authorizes the department of human services, on or after July 1, 2014, to modify the parent or caretaker's amount of temporary assistance benefits upon the completion of various requirements. - Amends TCA Title 71, Chapter 3, Part 1. by *Dennis. (*SB1851 by *Campfield)

On motion, House Bill No. 1887 was made to conform with **Senate Bill No. 1851**; the Senate Bill was substituted for the House Bill.

Rep. Dennis moved that Senate Bill No. 1851 be passed on third and final consideration.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

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Rep. Casada moved the previous question, which motion prevailed by the following vote:

Ayes	68
Noes	26

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 68

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Favors, Fitzhugh, Gilmore, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Van Huss, Windle -- 26

Rep. Dennis moved that **Senate Bill No. 1851** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	65
Noes	25
Present and not voting	

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Van Huss, Weaver, White D, White M, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Favors, Fitzhugh, Gilmore, Jernigan, Johnson G, Jones, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Williams K, Windle -- 25

Representatives present and not voting were: Lamberth -- 1

A motion to reconsider was tabled.

House Bill No. 1892 -- Boats, Boating - As introduced, enacts the "Noah Dean and Nate Act" to lessen the likelihood of electric shock drowning near marinas and boat docks. - Amends TCA Title 62, Chapter 6; Title 68; Title 69 and Title 70. by *Goins, *Roach, *Carr D, *Farmer, *Powell, *Halford. (*SB1954 by *Southerland, *Ramsey, *Niceley, *Ford, *Bowling, *Campfield, *Beavers, *Bell, *Burks, *Crowe, *Dickerson, *Finney, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Henry, *Hensley, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Norris, *Overbey, *Stevens, *Summerville, *Tate, *Tracy, *Watson, *Yager)

On motion, House Bill No. 1892 was made to conform with **Senate Bill No. 1954**; the Senate Bill was substituted for the House Bill.

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Rep. Goins moved that Senate Bill No. 1954 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Goins moved that **Senate Bill No. 1954** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 2019 -- Taxes - As introduced, clarifies that, for purposes of waiving a civil penalty when a shipper fails, due to an error other than negligence, to notify the commissioner prior to diverting fuel, the shipper must "satisfactorily demonstrate" the failure to provide notice was due to the error. - Amends TCA Title 67. by *Stewart. (*SB2118 by *Finney)

On motion, House Bill No. 2019 was made to conform with **Senate Bill No. 2118**; the Senate Bill was substituted for the House Bill.

Rep. Stewart moved that Senate Bill No. 2118 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2118 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-102(44), is amended by adding the following language as a new subdivision:

(M) "Industrial machinery" also includes machinery necessary to and primarily used for the manufacture of firearms equipped with integral

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devices which permit a user to program the firearm to operate only for specified persons designated by the user through computerized locking devices or other means integral to and permanently part of the firearm when utilized by a person whose principle business is fabricating or processing tangible personal property for resale;

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Stewart moved that **Senate Bill No. 2118**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 2087 -- Criminal Offenses - As introduced, prohibits a governmental entity or law enforcement agency from obtaining the location information of an electronic device without a search warrant except under certain circumstances. - Amends TCA Title 39, Chapter 13, Part 6. by *Van Huss, *Goins. (*SB2087 by *Beavers, *Campfield)

On motion, House Bill No. 2087 was made to conform with **Senate Bill No. 2087**; the Senate Bill was substituted for the House Bill.

Rep. Van Huss moved that Senate Bill No. 2087 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2087 by adding the following language as a new, appropriately designated subsection to SECTION 1:

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() This section shall not be construed to apply to any smart meter gateway device. For purposes of this subsection, "smart meter gateway device" means any electric or natural gas utility meter, utility meter component, utility meter load control device, or any device ancillary to the utility meter, which is located at an end-user's residence or business and which serves as a communication gateway or portal to electrical or natural gas powered appliances, equipment, or devices within the end-user's residence or business, or which otherwise communicates with, monitors, measures, records, reports, stores, restricts, or regulates such electrical or natural gas powered appliances, equipment, or devices.

AND FURTHER AMEND by deleting subsection (c) in SECTION 1 and substituting instead the following:

- (c) A government entity may obtain location information of an electronic device without obtaining a search warrant under any of the following circumstances:
 - (1) The electronic device is reported stolen by the owner;
 - (2) In order to respond to the user's call for emergency services;
 - (3) To prevent imminent danger to the life of the owner or user;
 - (4) To prevent imminent danger to the public;
 - (5) With the informed, affirmative consent of the owner or user of the electronic device;
 - (6) To find the user if the user has kidnapped another person; or
 - (7) If the user has posted the user's location within the last twenty-four (24) hours on a social media web site.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Van Huss moved that Civil Justice Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 2087 by deleting subsection (e) in SECTION 1 in its entirety.

AND FURTHER AMEND by deleting subsection (c) in SECTION 1 in its entirety and substituting instead the following:

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- (c) A government entity may obtain location information of an electronic device without obtaining a search warrant under any of the following circumstances:
 - (1) If the electronic device is reported stolen by the owner;
 - (2) If necessary to respond to the user's call for emergency services;
 - (3) To prevent imminent danger to the life of the owner or user;
 - (4) To prevent imminent danger to the public;
 - (5) With the informed, affirmative consent of the owner or user of the electronic device;
 - (6) If the user has posted the user's location within the last twenty-four (24) hours on a social media web site; or
 - (7) If exigent circumstances justify obtaining location information for the electronic device without a warrant.

On motion, Civil Justice Committee Amendment No. 3 was adopted.

Rep. Lamberth moved that the House consider Amendment No. 4 to **Senate Bill No. 2087**, which motion prevailed by the following vote:

Ayes	80
Noes	0

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powers, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell --80

Rep. Lamberth moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND Senate Bill No. 2087 by deleting subdivision (a)(4) in the amendatory language of SECTION 1 and by substituting instead the following:

(4) "Location information" means information concerning the location of an electronic device that, in whole or in part, is generated or derived from or obtained by the operation of an electronic device on a cellular telephone network or a location information service, rather than obtained from a service provider.

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AND FURTHER AMEND by deleting subdivision (a)(6) in its entirety in the amendatory language of SECTION 1.

On motion, Amendment No. 4 was adopted.

Rep. Van Huss moved that **Senate Bill No. 2087**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	2
Present and not voting	

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, DeBerry J, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 87

Representatives voting no were: Doss, Mitchell -- 2

Representatives present and not voting were: Dean, Gilmore -- 2

A motion to reconsider was tabled.

House Bill No. 2104 -- Mental Illness - As introduced, extends pilot project for assisted outpatient treatment for two years until June 30, 2016. - Amends TCA Title 33, Chapter 6, Part 6. by *Haynes, *Brooks K. (*SB2256 by *Massey, *Overbey)

On motion, House Bill No. 2104 was made to conform with **Senate Bill No. 2256**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that Senate Bill No. 2256 be passed on third and final consideration.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Haynes moved that **Senate Bill No. 2256** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95	5
Noes	1	١

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry

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J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Wirgau -- 1

A motion to reconsider was tabled.

*House Bill No. 2340 -- Mass Transit - As introduced, directs the department of transportation to study the construction, operation and financing of a monorail public transportation system along the Nashville Southeast Corridor on and along I-24; requires the department to report findings by February 1, 2015, to the transportation committees. by *Sparks. (SB2515 by *Ketron)

On motion, House Bill No. 2340 was made to conform with **Senate Bill No. 2515**; the Senate Bill was substituted for the House Bill.

Rep. Sparks moved that Senate Bill No. 2515 be passed on third and final consideration.

Rep. Dean moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sparks moved that **Senate Bill No. 2515** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Rich -- 1

A motion to reconsider was tabled.

*House Joint Resolution No. 839 -- General Assembly, Statement of Intent or Position - Condemns federal court decision granting a preliminary injunction in the case Tanco et al v Haslam. by *Carr J, *McCormick, *Casada, *Brooks K, *Matheny, *Womick, *Matlock, *Holt, *Spivey, *Carter.

Further consideration of House Joint Resolution No. 839 previously considered on today's Calendar.

Rep. J. Carr moved adoption of House Joint Resolution No. 839.

Rep. Jones moved that Amendment No. 1 to Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Jones moved that Amendment No. 2 to Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Jones moved that Amendment No. 3 to Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Haynes moved the previous question, which motion prevailed by the following vote:

Ayes	63
Noes	22

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Floyd, Forgety, Halford, Hall, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Lamberth, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 63

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Odom, Parkinson, Pitts, Powell, Shepard, Stewart, Tidwell, Turner J, Turner M, Weaver -- 22

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 839 by adding the following language as a new resolving clause immediately preceding the final resolving clause:

BE IT FURTHER RESOLVED, that the Tennessee Attorney General and Reporter is strongly urged to vigorously and zealously defend the constitutionality of Article XI, Section 18 of the Tennessee Constitution and related statutory provisions through appeal of this decision in the Federal court system.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Casada moved the previous question, which motion prevailed by the following vote:

Ayes	70
Noes	24

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell --70

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, DeBerry J, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Miller, Odom, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner J, Turner M, Womick -- 24

Rep. J. Carr moved adoption of **House Joint Resolution No. 839**, which motion prevailed by the following vote:

Ayes75	
Noes15	

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Pitts, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Towns, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 75

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Miller, Odom, Parkinson, Stewart, Turner M -- 15

A motion to reconsider was tabled.

Senate Bill No. 1432 -- Constitutional Conventions - As introduced, establishes that general assembly appoints and recalls delegates to Article V convention; requires delegates to abide by instructions given to delegates by the general assembly. - Amends TCA Title 2 and Title 3. by * Norris, *Bell, *Stevens, *Henry, *Kelsey, *McNally. (*HB1379 by *Brooks K, *Butt, *Lynn, *Kane)

Further consideration of House Bill No. 1379 previously considered on today's Calendar, at which time the House was on consideration of Amendment No. 1.

Rep. M. Hill requested that Amendment No. 1 be placed at the heel of the amendments. 4170

Rep. Goins moved that the House consider Amendment No. 2 to **Senate Bill No. 1432**, which motion prevailed by the following vote:

Ayes	88
Noes	3

Representatives voting aye were: Akbari, Alexander, Armstrong, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 88

Representatives voting no were: McDaniel, Parkinson, Stewart -- 3

Rep. Goins moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1432 by adding the following language to the end of 3-1-1808(b) in SECTION 1:

The two (2) delegates shall reside in different grand divisions of this state, and one (1) of the two (2) alternate delegates shall reside in the grand division not represented by the two (2) delegates.

On motion, Amendment No. 2 was adopted.

Rep. M. Hill moved that House Amendment No. 1 be withdrawn, which motion prevailed.

Rep. K. Williams moved the previous question, which motion prevailed by the following vote:

Ayes	7	70
Noes	1	16

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Todd, Travis, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell --70

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Representatives voting no were: Akbari, Camper, Cooper, Fitzhugh, Hardaway, Jernigan, Mitchell, Parkinson, Pitts, Stewart, Tidwell, Towns, Turner J, Turner M, Van Huss, Womick -- 16

Rep. K. Brooks moved that **Senate Bill No. 1432**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	77
Noes	10
Present and not voting	

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Todd, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 77

Representatives voting no were: Cooper, Hardaway, Jones, Mitchell, Odom, Parkinson, Stewart, Tidwell, Towns, Womick -- 10

Representatives present and not voting were: Akbari -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "aye" to "no" on the **House Joint Resolution No. 839** and have this statement entered in the Journal: Rep(s). J. Turner and Mitchell.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on the **House Joint Resolution No. 551** and have this statement entered in the Journal: Rep(s). Van Huss.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on the **House Joint Resolution No. 593** and have this statement entered in the Journal: Rep(s). Van Huss.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on the **Senate Bill No. 1851** and have this statement entered in the Journal: Rep(s). Littleton.

REGULAR CALENDAR, CONTINUED

*House Bill No. 2076 -- Education - As introduced, requires the state board of education to report on the use of the scholarship fund for deaf students graduating from the Tennessee 4172

school for the deaf and the amount of moneys in the fund and expended for scholarships by November 1, 2014, with an update of the report by November 1 every year thereafter. - Amends TCA Title 49. by *White M, *Forgety, *Camper, *Carter, *Fitzhugh, *Brooks H, *Parkinson. (SB2355 by *Gresham, *Kelsey)

Rep. M. White moved that House Bill No. 2076 be reset for the next available Calendar, which motion prevailed.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Gilmore

MESSAGE CALENDAR NO. 2

MOTION TO RECONSIDER

- **Senate Bill No. 1266** -- Education, Curriculum As introduced, requires emphasis on American foundational instruments and instruction in American historical achievement. Amends TCA Title 49. by *Niceley, *Bowling, *Ford. (HB1129 by *Hill T, *Brooks K, *Casada, *Sexton, *Bailey, *Rogers, *Van Huss)
- Rep. T. Hill moved to lift from the table the motion to reconsider action in passing Senate Bill No. 1266, which motion prevailed.
- Rep. T. Hill moved to reconsider action in passing Senate Bill No. 1266, which motion prevailed.
 - Rep. T. Hill moved that Senate Bill No. 1266 be passed on third and final consideration.
- Rep. Fitzhugh moved that the House reconsider its action in adopting Amendment No. 7, which motion prevailed.
 - Rep. Fitzhugh moved that Amendment No. 7 be withdrawn, which motion prevailed.
- Rep. Fitzhugh moved that the House reconsider its action in adopting Amendment No. 5, which motion prevailed.
 - Rep. Fitzhugh moved that Amendment No. 5 be withdrawn, which motion prevailed.
- Rep. T. Hill moved that **Senate Bill No. 1266** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	5

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn,

Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 85

Representatives voting no were: Favors, Johnson G, Jones, Parkinson, Stewart -- 5

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

*Senate Bill No. 2243 -- Highways, Roads and Bridges - As introduced, directs the department of transportation to study the feasibility and cost of making crosswalks, as well as public transportation, more accessible for the sight-impaired. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 54; Title 64 and Title 67. by *Tracy, *McNally. (HB2156 by *Durham, *Dean, *Sparks)

Rep. Durham moved that the House refuse to recede from its action in adopting House Amendment No. 1 to Senate Bill No. 2243, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

*House Bill No. 1931 -- Education - As introduced, revises various provisions governing the baccalaureate education system trust fund program; requires department of revenue to assist board of trustees of the program in the implementation of certain tax incentives. - Amends TCA Title 49, Chapter 7, Part 8; Title 55, Chapter 4; Title 67, Chapter 2 and Title 67, Chapter 4. by *White M. (SB2106 by *Gresham)

Senate Amendment No. 2

AMEND House Bill No. 1931 by deleting in Section 4 the language "49-7-805(5)" and substituting instead the language "49-7-802(5)".

Rep. M. White moved that the House concur in Senate Amendment No. 2 to **House Bill No. 1931**, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C,

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Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

*House Bill No. 1549 -- Education - As introduced, establishes requirements for the adoption of educational standards; prohibits use of student data for purposes other than tracking academic progress and educational needs of students. - Amends TCA Title 49. by *Dunn, *Rogers, *Weaver, *White D, *Casada, *Matheny, *Matlock, *Spivey, *Moody, *Butt, *McManus, *Brooks H, *White M, *Forgety, *Holt, *VanHuss, *Hill M, *Faison, *Rich, *Haynes, *Lamberth, *Eldridge, *Keisling, *Bailey, *McCormick, *Brooks K, *Dennis, *Evans, *Sparks, *Durham, *Dean, *Swann, *Wirgau, *Ragan, *Johnson C, *Halford, *Todd, *Williams R, *Lundberg, *Coley, *Lynn, *Sexton, *Marsh, *Carter, *Sargent, *Lollar, *Travis, *Littleton. (SB1835 by *Gresham, *Tracy, *Haile, *Johnson, *Bowling, *Campfield, *Norris)

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 1549

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1549 (Senate Bill No. 1835) has met and recommends that the following amendments be deleted:

House Amendment #1 Senate Amendment #2 and Senate Amendment #3

The Committee further recommends that the following amendment be adopted:

by deleting the preamble to the bill and by substituting instead:

WHEREAS, the federal government has no constitutional authority to set educational standards for Tennessee or to determine how children in Tennessee will be educated. Any partnership with the federal government is solely at the discretion of the state; and

WHEREAS, selection of educational standards for Tennessee public schools is the exclusive right of state and local education authorities; and

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WHEREAS, intrusive data tracking is an invasion of the rights of students and their families and any data collected should be used for the sole purpose of tracking the academic progress and needs of students by Tennessee education officials; now, therefore,

AND FURTHER AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 3, is amended by adding the following language as a new, appropriately designated section:

49-1-3 .

- (a) No educational standards shall be imposed on the state by the federal government. Any adoption of educational standards for the public schools of the state shall be done freely by the state board of education which, except as provided in subsection (b), may change, adjust or recede from a standard at any time.
- (b) A proposed change or addition to an educational standard, including, but not limited to, the Next Generation Science Standards, the National Curriculum Standards for Social Studies, the National Health Education Standards, or the National Sexuality Education Standards shall be posted for public review on the state board's web site and submitted to the education committees of the house of representatives and the senate at least sixty (60) days before the state board meeting during which the final adoption of the proposed standard is to be considered. The state board may vote on adoption of standards or proposed changes or additions only at a public meeting at which a quorum is in attendance.
- (c) The state board shall not join a testing consortium inclusive of multiple states that requires the adoption of common standards in social studies or science subjects, unless the board provides at least sixty (60) days notice to the education committees of the house of representatives and the senate and posts such notice on its web site at least sixty (60) days before officially joining any such consortium.
- (d) Data collected from the use of or testing under educational standards adopted by the state board shall be used for the sole purpose of tracking the academic prowess and needs of students.
- SECTION 2. Tennessee Code Annotated, Title 49, Chapter 1, is amended by adding Sections 3 through 9 as a new, appropriately designated part.
- SECTION 3. This part shall be known and may be cited as the "Data Accessibility, Transparency and Accountability Act".

SECTION 4. As used in this part:

(1) "Aggregate data" means data collected or reported at the group, cohort or institutional level;

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- (2) "Biometric record" means a record of one (1) or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual;
- (3) "Data system" means the body of student data collected by the department of education;
- (4) "De-identified data" means a student dataset in which parent and student identifying information, including the personal identification number, has been removed:
 - (5) "Department" means the department of education;
- (6) "FERPA" means the federal Family Educational Rights and Privacy Act codified at 20 U.S.C. § 1232g;
- (7) "Personal identification number" means the unique student identifier assigned to a student under § 49-6-5101;
 - (8) "State board" means the state board of education;
 - (9)(A) "Student data" means data collected or reported at the individual student level that is included in a student's educational record;
 - (B) "Student data" includes:
 - (i) State and national assessment results, including information on untested public school students;
 - (ii) Course taking and completion, credits earned and other transcript information;
 - (iii) Course grades and grade point average;
 - (iv) Date of birth, grade level and expected graduation date or graduation cohort;
 - (v) Degree, diploma, credential attainment and other school exit information such as receipt of the GED® and drop-out data:
 - (vi) Attendance and mobility;
 - (vii) Data required to calculate the federal four-year adjusted cohort graduation rate, including sufficient exit and dropout information:
 - (viii) Discipline reports limited to objective information sufficient to produce the federal Title IV annual incident report;

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- (ix) Remediation:
- (x) Special education data; and
- (xi) Demographic data and program participation information; and
- (C) Unless included in a student's educational record, "student data" does not include:
 - (i) Juvenile delinquency records;
 - (ii) Criminal records;
 - (iii) Medical and health records;
 - (iv) Student social security number; and
 - (v) Student biometric information; and
- (10) "Teacher data" means personal summative and evaluation scores, the access to which is limited to the department, LEA administrators, local boards of education or those with direct supervisory authority who require such access to perform their assigned duties. Nothing in this part shall restrict the availability of information pursuant to § 49-1-606.

SECTION 5. The state board of education shall: - 5 - 016559

- (1) Create, publish and make publicly available a data inventory and dictionary or index of data elements with definitions of individual student data fields currently in the student data system along with the purpose or reason for inclusion in the data system;
- (2) Develop, publish and make publicly available policies and procedures to comply with FERPA, § 10-7-504 and other relevant privacy laws and policies. These policies and procedures shall, at a minimum, require that:
 - (A) Access to student and de-identified data in the student data system is restricted to:
 - (i) The authorized staff of the department and the department's contractors who require access to perform their assigned duties;
 - (ii) LEA administrators, teachers, school personnel and the LEA's contractors who require access to perform their assigned duties:
 - (iii) Students and their parents; provided, however, that a student or the student's parents may only access the student's individual data:

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- (iv) The authorized staff of other state agencies as permitted by law; provided, however, that within sixty (60) days of providing such access, the department shall provide notice of such release to the state board and the education committees of the house of representatives and the senate and post such notice on the department's web site;
- (v) Parties conducting research for or on behalf of the department or an LEA, provided such access is granted in compliance with FERPA and other relevant state and federal privacy laws and policies, and provided the department shall provide notice of such release to the state board and the education committees of the house of representatives and the senate and post such notice on the department's web site;
- (vi) Appropriate entities in compliance with a lawfully issued subpoena or court order; or
- (vii) Appropriate officials in connection with an interagency audit or evaluation of a federal or state supported education program;
- (B) The department uses only aggregate data in public reports or in response to public record requests in accordance with subdivision (3);
- (C) The commissioner develops criteria for the approval of research and data requests from state and local agencies, the general assembly, researchers and the public; provided, however, that:
 - (i) Unless otherwise approved by the state board or permitted in this part, student data maintained by the department shall remain confidential; and
 - (ii) Unless otherwise permitted in this part or approved by the state board to release student or de-identified data in specific instances, the department may only use aggregate data in the release of data in response to research and data requests; and
- (D) Students and parents are notified of their rights under federal and state law;
- (3) Unless otherwise approved in this part or by the state board, the department shall not transfer student or de-identified data deemed confidential under subdivision (2)(C)(i) to any federal agency or other organization or entity outside the state, except when:
 - (A) A student transfers out of state or an LEA seeks help with locating an out-of-state transfer;
 - (B) A student leaves the state to attend an out-of-state institution of higher education or training program;

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- (C) A student registers for or takes a national or multistate assessment;
- (D) A student voluntarily participates in a program for which such data transfer is a condition or requirement of participation;
- (E) The department enters into a contract that governs databases, assessments, special education or instructional supports with an out-of-state vendor; or
- (F) A student is classified as "migrant" for federal reporting purposes;
- (4) Develop a detailed data security plan that includes:
- (A) Guidelines for authorizing access to the teacher data system and to individual teacher data including guidelines for authentication of authorized access:
- (B) Guidelines for authorizing access to the student data system and to individual student data including guidelines for authentication of authorized access:
 - (C) Privacy compliance standards;
 - (D) Privacy and security audits;
 - (E) Breach planning, notification and procedures; and
 - (F) Data retention and disposition policies;
- (5) Ensure routine and ongoing compliance by the department with FERPA, § 10-7-504, other relevant privacy laws and policies, and the privacy and security policies and procedures developed under the authority of this part, including the performance of compliance audits;
- (6) Ensure that any contracts that govern databases, assessments or instructional supports that include student or de-identified data and are outsourced to private vendors include express provisions that safeguard privacy and security and include penalties for noncompliance; and
- (7) Notify the governor and the general assembly within sixty (60) days of the following:
 - (A) Any new student data fields included in the state student data system;
 - (B) Changes to existing data collections required for any reason, including changes to federal reporting requirements made by the United States department of education;

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- (C) Any exceptions granted by the state board in the past year regarding the release or out-of-state transfer of student or de-identified data accompanied by an explanation of each exception; and
- (D) The results of any and all privacy compliance and security audits completed in the past year. Notifications regarding privacy compliance and security audits shall not include any information that would itself pose a security threat to the state or local student information systems or to the secure transmission of data between state and local systems by exposing vulnerabilities.

SECTION 6.

- (a) Parents and guardians have the right to inspect and review their children's education records maintained by the school.
- (b) Parents and guardians have the right to request student data specific to their children's educational records.
- (c) LEAs shall provide parents or guardians with a copy of their children's educational records upon request.

(d)

- (1) The department shall develop a model student records policy for LEAs that requires an LEA to:
 - (A) Annually notify parents and guardians of their right to request student information;
 - (B) Ensure security when providing student data to parents or guardians;
 - (C) Ensure student data is provided only to authorized individuals:
 - (D) Set the timeframe within which record requests must be provided; and
 - (E) Consider implementation of a plan to allow parents and guardians to view online, download, and transmit data specific to their children's educational records.
- (2) The department shall develop the model student records policy by December 31, 2014. An LEA shall adopt the model policy or develop its own policy prior to the beginning of school for the 2015-2016 school year. Before implementing a policy other than the model policy, an LEA shall submit the policy to the department for approval.

SECTION 7. LEAs and schools shall not collect individual student data on:

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- (1) Political affiliation;
- (2) Religion;
- (3) Voting history; and
- (4) Firearms ownership.

SECTION 8.

- (a) Unless explicitly mandated by state or federal law, a state agency or education institution shall obtain written consent from parents or students, in the case of students eighteen (18) years of age or older, before collecting any individual student biometric data, student data relative to analysis of facial expressions, EEG brain wave patterns, skin conductance, galvanic skin response, heart-rate variability, pulse, blood volume, posture, and eye-tracking.
- (b) No state agency or education institution shall pursue or accept any grant whether from the federal government or any private entity that requires collecting or reporting information in violation of subsection (a).
- (c) No state or national student assessment shall be adopted or administered in this state that requires collecting or reporting information in violation of subsection (a).

SECTION 9. Any collection of student data by the department existing on July 1, 2014, shall not be considered a new student data collection in accordance with subdivision (7)(A) of Section 5 of this act.

SECTION 10. Tennessee Code Annotated, Title 49, Chapter 1, Part 2, is amended by adding the following language as a new section:

49-1-226.

- (a) The Tennessee comprehensive assessment program (TCAP) tests, inclusive of achievement, end of course and the comprehensive writing assessments, shall be administered in the subjects of English language arts and math in grades three through eleven (3-11) during the 2014-2015 school year.
- (b) Prior to the 2015-2016 school year, the department of education shall issue a request for proposals and, through competitive bidding, contract with one (1) or more entities to provide assessments in English language arts and math, which shall be aligned to state standards and fully implemented during the 2015-2016 school year. Prior to the 2015-2016 school year, such tests shall be field tested and shall replace the existing assessments in the applicable subject area. The request for proposals issued by the department shall be prepared in consultation with the comptroller and in compliance with state procurement requirements, including those relative to conflicts of interest. The fiscal review

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committee shall, by December 31, 2014, review all contracts awarded pursuant to such requests for proposals and shall annually report to the full education committees of the senate and house of representatives as to the terms and performance thereof.

(c) The state of Tennessee shall not adopt common core state standards in any subject matter beyond math and English language arts.

SECTION 11. The state board is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 12. Section 10 of this act shall take effect upon becoming a law, the public welfare requiring it. All remaining sections of this act shall take effect July 1, 2014, the public welfare requiring it. - 12 - 016559

/s/ Senator Dolores Gresham/s/ Representative Bill Dunn/s/ Senator Brian Kelsey/s/ Representative John DeBerry/s/ Senator Frank Niceley/s/ Representative Billy Spivey

Rep. Dunn moved that the Report of the Conference Committee on House Bill No. 1549 be adopted and made the action of the House.

Rep. Dennis moved the previous question, which motion prevailed by the following vote:

Ayes	66
Noes	25

Representatives voting aye were: Brooks H, Brooks K, Butt, Calfee, Carr D, Carter, Casada, Dean, DeBerry J, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Kane, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, Moody, Odom, Parkinson, Pitts, Powers, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Swann, Tidwell, Todd, Travis, Turner M, Weaver, White D, White M, Williams K, Williams R, Wirgau, Madam Speaker Harwell -- 66

Representatives voting no were: Akbari, Alexander, Armstrong, Camper, Carr J, Coley, Cooper, Favors, Hardaway, Holt, Jones, Keisling, Lollar, Love, Miller, Mitchell, Pody, Rogers, Sparks, Stewart, Towns, Turner J, Van Huss, Windle, Womick -- 25

Rep. Dunn moved that the Report of the Conference Committee on **House Bill No. 1549** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	85
Noes	8

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carter, Casada, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick,

McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Wirgau, Madam Speaker Harwell -- 85

Representatives voting no were: Carr J, Coley, Cooper, Keisling, Stewart, Towns, Windle, Womick -- 8

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Hardaway voted "aye" on **House Bill No. 1549**.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2380 -- Real Property - As introduced, requires the posting of a bond or other guarantee for unfinished streets and other infrastructure projects in an approved subdivision plat before a building permit may be issued; requires that the approved subdivision plat be recorded in the county register of deeds before a building permit may be issued. - Amends TCA Title 13, Chapter 3, Part 4 and Title 13, Chapter 4, Part 3. by *Lynn. (SB2108 by *Bowling)

Senate Amendment No. 2

Amend House Bill No. 2380 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____. Tennessee Code Annotated, Section 13-3-411(a), is amended by deleting the language "three (3)" and substituting instead the language "four (4)".

Rep. Lynn moved the House concur in Senate Amendment No. 2 to **House Bill No. 2380**, which motion prevailed by the following vote:

Ayes	35
Noes	. 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Travis, Turner M, Weaver, White D, White M, Williams K, Williams R, Windle, Madam Speaker Harwell -- 85

Representatives voting no were: Womick -- 1

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A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "no" on adoption of the Conference Committee Report on **House Bill No. 1549** and have this statement entered in the Journal: Rep(s). Powell.

HOUSE ACTION ON SENATE MESSAGE

*House Bill No. 1574 -- Controlled Substances - As introduced, lowers the maximum amount of products containing ephedrine or pseudoephedrine that may be purchased in a 30 day period; alters the requirements for a stop-sale override when completion of a sale would violate the maximum limits. - Amends TCA Title 39, Chapter 17, Part 4. by *McCormick, *Hawk, *Brooks K, *Ramsey, *Watson, *Powers, *Shipley, *Hardaway, *Sanderson, *Ragan, *Towns, *Pitts, *Mitchell, *Eldridge, *Stewart. (SB1751 by *Norris, *McNally, *Ketron)

Rep. Hawk moved that the House refuse to recede from its action in nonconcurring in Senate Amendment(s) No(s). 2 and 6 to **House Bill No. 1574**, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 1574

Pursuant to **Rule No. 73**, Representative Hawk moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 1574, which motion prevailed.

The Speaker appointed Representatives Hawk, Lamberth and Parkinson as the House members of the Conference Committee on House Bill No. 1574.

HOUSE ACTION ON SENATE AMENDMENTS

*House Bill No. 2406 -- Alcohol Offenses, Sales - As introduced, clarifies that art galleries that serve wine to patrons must not serve wine to persons less than 21 years old. - Amends TCA Title 57. by *Turner M. (SB2482 by *Johnson)

Senate Amendment No. 3

Amend House Bill No. 2406 by deleting all language after the enacting clause and by substituting instead the following:

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- SECTION 1. Tennessee Code Annotated, Section 57-4-301(b)(1)(W), is amended by adding the following language as a new subdivision:
 - (iv) 0% but not more than 15% of gross sales \$5,000
- SECTION 2. Tennessee Code Annotated, Section 57-4-201(b)(3)(E)(i), is amended by deleting the subdivision in its entirety and substituting instead the following:
 - (i) If a license is requested by an applicant who does not hold an existing license as a restaurant, it shall be a rebuttable presumption that the amount of gross sales from prepared food will be between zero percent (0%) but not more than fifteen percent (15%). An applicant may rebut the presumption by including with the application a business plan which indicates the gross sales from prepared food will be higher than fifteen percent (15%). The commission shall advise each applicant of the applicant's right to include with the application a business plan which includes a projection of the amount of gross sales of prepared food and in such case, the commission shall assess the appropriate license fee based on such projection.
- SECTION 3. Tennessee Code Annotated, Section 57-4-203, is amended by adding the following language as a new, appropriately designated subsection:
 - () Any establishment holding a license pursuant to § 57-4-301(b)(1)(W)(iv) shall not permit alcoholic beverages to be sold on sidewalks, streets, or alleys.
- SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.
- Rep. M. Turner moved that the House concur in Senate Amendment No. 3 to **House Bill No. 2406**, which motion prevailed with the following vote:

Ayes	74
Noes	11
Present and not voting	

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, DeBerry J, Dennis, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Powers, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Weaver, White D, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 74

Representatives voting no were: Dunn, Evans, Hill M, Hill T, Holt, Lollar, Moody, Rogers, Van Huss, White M, Windle -- 11

Representatives present and not voting were: Butt, Dean, Pody -- 3

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on concurring in Senate Amendment No. 2 to **House Bill No. 2380** and have this statement entered in the Journal: Rep(s). Van Huss.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "no" to "aye" on concurring in Senate Amendment No. 2 to **House Bill No. 2380** and have this statement entered in the Journal: Rep(s). Womick.

UNFINISHED BUSINESS

CLERK'S NOTE TO THE JOURNAL

Pursuant to **Rule No. 20**, Rep. Watson was excused from Session on Wednesday, April 26, 2014.

MOTION TO ADJOURN

Rep. Fitzhugh moved that the House adjourn at 5:08 p.m.

Rep. Fitzhugh withdrew the motion to adjourn, which motion prevailed.

ANNOUNCEMENTS

Chairman Harrison announced the Finance, Ways and Means Subcommittee would meet immediately after session today.

ANNOUNCEMENTS

Chairman Sargent announced the Finance, Ways and Means Committee would meet immediately following Finance Subcommittee today.

ANNOUNCEMENTS

Chairman Dunn announced the Committee on Calendars and Rules would meet immediately following the Finance Committee today.

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REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "no" to "aye" on adoption of the Conference Committee Report on **House Bill No. 1549** and have this statement entered in the Journal: Rep(s). Coley.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1367 Rep(s). M. White, Faison, Dennis, Shipley, Womick, Haynes and Windle as prime sponsor(s).

House Bill No. 1403 Rep(s). Harrison and Casada as prime sponsor(s).

House Bill No. 1558 Rep(s). Swann and Powers as prime sponsor(s).

House Bill No. 1791 Rep(s). Goins as prime sponsor(s).

SPONSORS REMOVED

On motion Rep(s). Kane was/were removed as sponsor(s) of **House Bill No. 1791**.

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 702, 1199, 1396, 1398, 1431, 1496, 1546, 1554, 1640, 1783, 2503, 2505, 2516, 2525, 2526, 2527 and 2529; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 289, 726, 997, 1634, 1672, 1695, 1705, 1718, 1774, 1781, 1832, 1863, 1875, 1884, 1892, 1908, 1940, 1967, 1999, 2053, 2101, 2128, 2203, 2250, 2269, 2283, 2311, 2335, 2352, 2370, 2404, 2406 and 2555; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 542, 913, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 4188

1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108 and 1109; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 761, 763, 764, 765, 766, 767 and 819; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED April 16, 2014

The Speaker announced that she had signed the following: House Bill(s) No(s). 702, 1199, 1396, 1398, 1431, 1496, 1546, 1554, 1640, 1783, 2503, 2505, 2516, 2525, 2526, 2527 and 2529.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR April 16, 2014

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1179, 1523, 1590, 1591, 1592, 1593, 1704 and 2152; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

ENGROSSED BILLS April 16, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2545, 2546, 2547 and 2548.

GREG GLASS, Interim Chief Engrossing Clerk

ENGROSSED BILLS April 16, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2313;

GREG GLASS, Interim Chief Engrossing Clerk

ENGROSSED BILLS

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April 16, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2524, 2531, 2532, 2539, 2553, 2554 and 2555; also House Joint Resolution(s) No(s). 1164, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177 and 1178.

GREG GLASS, Interim Chief Engrossing Clerk

SIGNED April 16, 2014

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 761, 763, 764, 765, 766, 767 and 819.

JOE McCORD, Chief Clerk

ENGROSSED BILLS April 16, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2537, 2538, 2542, 2550 and 2552.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1895; The Senate nonconcurred in House Amendment No(s). 1

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: The Senate moved to lift from the table the motion to reconsider House Bill No. 2445. The Senate moved to reconsider House Bill No. 2445. The Senate moved to reconsider Senate Amendment No. 1 and withdraw Amendment 1. The Senate repassed House Bill No. 2445 as amended.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2520, 2545, 2546, 2547 and 2548; substituted for Senate bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

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MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 816; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED April 16, 2014

The Speaker announced that she had signed the following: Senate Joint Resolution No(s). 816.

JOE McCORD, Chief Clerk

MESSAGE FROM THE SENATE April 16, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1453 and 1663; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

*Senate Bill No. 1453 -- Education - As introduced, removes requirement that the BEP review committee consider whether to include English as second language teachers in the BEP funding formula, because the review committee has recommended that such teachers be included in the formula and the senate and house of representatives have approved the inclusion. - Amends TCA Title 49. by *McNally. (HB1558 by *Ragan)

*Senate Bill No. 1663 -- Drugs, Prescription - As introduced, makes various changes to regulation of prescription drugs, including prohibiting medical practitioners from dispensing. - Amends TCA Title 29, Chapter 3; Title 39, Chapter 17, Part 4; Title 53 and Title 63. by *Kelsey. (HB1512 by *Shipley)

ENGROSSED BILLS April 16, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 551, 593 and 839.

GREG GLASS, Interim Chief Engrossing Clerk

ENROLLED BILLS April 16, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 242, 243, 244, 245, 247, 248, 249, 250 and 251; and find same correctly enrolled and ready for the signature of the Speaker.

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GREG GLASS, Interim Chief Engrossing Clerk

SIGNED April 16, 2014

The Speaker announced that she had signed the following: House Resolution(s) No(s). 242, 243, 244, 245, 247, 248, 249, 250 and 251.

GREG GLASS, Interim Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:	
Present	88

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Farmer, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 88

RECESS

On motion of Rep. McCormick the House stood in recess until 10:00 a.m., Thursday, April 17, 2014.